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# **‘Campaigning in poetry, governing in prose?’**

The development of Conservative Party immigration  
policy in government and in opposition since 1945

Rebecca Partos

Thesis submitted for the degree of

Doctor of Philosophy in Politics

University of Sussex

September 2016

## **Statement**

I hereby declare that this thesis has not been and will not be, submitted in whole or in part to another University for the award of any other degree.

Signature:

University of Sussex

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Thesis submitted for the degree of Doctor of Philosophy in Politics

‘Campaigning in poetry, governing in prose?’

The development of Conservative Party immigration policy in government and in opposition since 1945

## Summary

This thesis seeks to explain the development of the British Conservative Party’s immigration policy from 1945 to 2015. It draws on Gamble’s contrasting of the ‘politics of power’ versus the ‘politics of support’ to consider the extent to which Conservative immigration policy is influenced by periods in government and periods in opposition. Harmel and Janda’s three ‘drivers’ of party change – electoral motivations, the leadership of the party, and factions within the party – are built upon to explain changes to the Conservatives’ immigration policy.

An interpretivist approach is conducive to the making of an empirically-rich ‘thick descriptive’ account of the Conservative Party’s immigration policy-making. The account is based on interviews with key actors – including current and former politicians and senior civil servants – combined with analysis of archive material and contemporary media sources and memoirs.

This thesis concludes that periods in government and periods in opposition do influence the making of immigration policy in different ways. During the 70-year period, what was implemented by the Conservatives in office was less far-reaching – and less restrictionist – than what had been proposed in opposition. Within this key contextual difference, a modified version of Harmel and Janda’s three drivers of change is useful in explaining the development of Conservative immigration policy – with some exceptions.

Through tracking changes to the Conservative Party’s immigration policy over many parliaments, this thesis provides three main contributions. First, it emphasises the significance of political parties to the development of immigration policy. Second, in focusing on periods in opposition – which are often overlooked – as well as periods in government, this work offers a basis for reconceptualising policy-making. Third, in bringing together existing theories into a synthesis framework of party policy-making, this thesis offers a new approach to the theoretical literature, which could be modified and tested in other contexts.

## Acknowledgements

This thesis would not have been possible without the expertise and guidance of my supervisors, Paul Webb and James Hampshire and for one year, Tim Bale. I am indebted to them for their enthusiasm (even when mine was low) and their – always timely and necessary – criticism. I could not have hoped for better supervisors.

If I had not been awarded the the University of Sussex Junior Research Associate (JRA) studentship during my undergraduate years, I would not have had the opportunity to carry out research, let alone undertake a PhD. Thanks also to Mark Bennister and Ed Maxfield, my seminar tutors as an undergraduate, and who have encouraged my interest in politics ever since.

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If I had not been Chair of the (now defunct) Postgraduate Network (PGN) of the Political Studies Association, this thesis would likely have been completed some time ago. Nonetheless, the experience was invaluable, and I was privileged to meet with established and early-career scholars who passed on tips and polling data that made me look at my research in a new way.

Thanks go to my colleagues and friends at Sussex: Monika Bil, Paul Calcroft, Erica Consterdine, Liljana Cvetanoska, Sahil Dutta, Jess Garland, Satoko Horii, Dan Keith, Roxana Mihaila, Sam Power, Pedro Salgado and Jake Watts.

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And last but not least, I owe a debt of gratitude to my family, all of whom shared the pain of proof-reading – my father, Gabriel Partos (who was always keen to hear my progress), my step-father, Peter Main (who kept me on my toes by repeatedly asked why I had not finished yet), and my mother, Vesna Main (who – among other things – cut out and collected newspaper articles related to immigration for me). Thank you for your support and encouragement.

And to Tom Martin, whose cynicism and sweetness and theoretical knowledge continues to surprise me. I will never make you watch Question Time again.

This thesis is for my grandma, Judit, who came to this country to make a new life in the same year as the moon landing (1969).

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## Timeline

This diagram is a visual timeline of the research period.

The 70-year period from 1945 to 2015 has been divided into four sections.

Period 1 – 1945 to 1964

Period 2 – 1964 to 1979

Period 3 – 1979 to 1997

Period 4 – 1997 to 2015

The year of every general election in this time is marked on the diagram.

‘OPP’/ ‘O’ and ‘GVT’/ ‘G’, refer, respectively, to episodes in which the UK Conservative Party was in opposition and in government.

The leadership of the Party is represented on the diagram by the initial of the leader.

WC – Winston Churchill

AE – Anthony Eden

HM – Harold Macmillan

ADH – Alec Douglas-Home

TH – Edward ‘Ted’ Heath

MT – Margaret Thatcher

JM – John Major

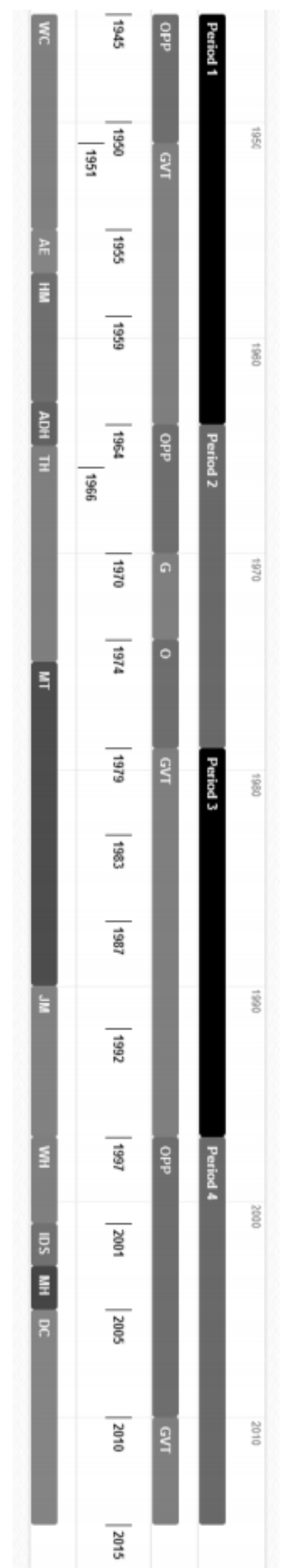
WH – William Hague

IDS – Iain Duncan Smith

MH – Michael Howard

DC – David Cameron

For an explanation as to why the period in question has been divided in this way, see Chapter 3: Theoretical and Methodological Frameworks.



## List of acronyms

BDTC	British Dependant Territories Citizen(s)
BNA	British Nationality Act (various)
BN(O)	British National(s) (Overseas)
CBI	Confederation of British Industry
CIA	Commonwealth Immigrants Act (various)
CPA	Conservative Party Archive
CPC	Conservative Political Centre
CRD	Conservative Research Department
CUKC	Citizen(s) of the United Kingdom and Colonies
ECO	Entry Clearance Officer
EEC	European Economic Community
EFTA	European Free Trade Association
EU	European Union
FSB	Federation of Small Businesses
ICT	Intra-Company Transfer
IoD	Institute of Directors
IPPR	Institute for Public Policy Research
LCC	Leader's Consultative Committee
MAC	Migration Advisory Committee
MEP	Member of European Parliament
MP	Member of (UK) Parliament
NCCI	National Committee for Commonwealth Immigrants
NF	National Front
NGO	Non-Governmental Organisation
NHS	National Health Service
OECD	Organisation for Economic Co-operation and Development
PORD	Public Opinion Research Department
TGWU	Transport and General Workers' Union
TNA	National Archives of the UK
TUC	Trades Union Congress
UKBA	UK Border Agency
UKIP	United Kingdom Independence Party
UKPH	UK passport-holder(s)

*'Let sleeping dogs lie' can be a dangerous motto  
if the dogs in question are growing as they sleep.<sup>1</sup>*

Letter to the Foreign Secretary on 'Immigration Control  
and Race Relations in Britain', 1979.

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<sup>1</sup> The National Archives of the UK (TNA): FCO50/664, Letter from the High Commissioner in India to the Foreign Secretary, titled 'Immigration Control and Race Relations in Britain', 25 July 1979. 1979f.

# Introduction

## 1.1 Field of research

The consequences of immigration policy – social, economic and political – are hugely significant. In a globalising world, the issue of immigration continues to be divisive, stirring up debate about identity, citizenship and rights. While scholars have examined migration flows ('push-pull' factors, among others) and there has been some attempt to identify the forces which influence policy-making, few have explained the continuing developments in immigration policy within a critical historical context.<sup>1</sup> The policies that determine who is allowed in and who is kept out are designed by governments, which generally comprise of mainstream political actors rather than the extremist politicians or populist media platforms that many researchers choose to focus on.<sup>2</sup> In order to really understand immigration policy, and what drives it in a democracy, the focus needs to be on major – and mainstream – political parties. Until now, political scientists in the comparative tradition have mostly focused on the impact of extremist parties or on the administrative side of the equation (both at the European and at the national level), possibly because of the lack of collaboration and overlap between political scientists working on immigration and those working on mainstream parties.<sup>3</sup>

Outside of Scandinavia, European centre-right parties have traditionally enjoyed long periods in power, and are therefore in a position to formulate and implement policy. However, they are relatively under-studied compared to their centre-left counterparts. Conservative parties have tended to enjoy a strong electoral lead over the centre-left on immigration and asylum: immigration, after all, is linked to issues of national identity and upholding the existing ethnic

composition of society as well as conserving established ideological traditions.<sup>4</sup> Yet immigration is also a source of tension for centre-right parties.<sup>5</sup> Traditional conservatives should, in theory, oppose immigration for its impact on established traditions and forms of social cohesion. Neoliberal conservatives, should, in theory, welcome immigration as a means of replenishing the labour force, offering greater choice to business, limiting wage inflation and weakening the trade unions. However, in practice different considerations are emphasised as political priorities change.<sup>6</sup> Furthermore, immigration policy needs to be nuanced — a more hard-line stance will satisfy core voters, but risks alienating more moderate supporters and undermining party cohesion. It is a difficult balance, and some academics have argued that immigration policy involves dealing with such conflicting dynamics (the benefits to the economy versus the greater costs associated with policing mass immigration) that in practical terms policy is more about ‘managing’ immigration than implementing some of the bolder objectives that parties promise while in opposition.<sup>7</sup>

Britain has been referred to as Europe’s would-be zero immigration country for its relative success in limiting unwanted migration.<sup>8</sup> Partly for this reason, the UK has been labelled a ‘deviant case’ in terms of immigration policy.<sup>9</sup> Over the post-war period, the country has undergone a substantial transformation: from a state with a liberal, somewhat extensive notion of citizenship (which was open, at one point, to 600 million people), to a much more restrictive regime with an infrastructure to fine, detain and deport those who enter illegally, or outstay their welcome, while sifting the well-paid high-flyers from the low-paid unskilled. During this time immigration into the UK has been driven by several factors: rapid economic growth, which resulted in labour shortages, with a consequent demand for migrant workers; decolonisation with the end of British rule in overseas territories; serious conflicts around the world, which have generated migration by asylum-seekers; and globalisation as well as greater co-operation between states (especially since Britain joined the European Union, or, as it was then known, the European Economic Community) both of which have led to easier travel and greater awareness of conditions in other countries.<sup>10</sup> This has resulted in ‘waves’ of immigration, with each characterised by a predominant type, from economic migrant to reunited relative, from asylum-seeker to ‘illegal’ immigrant.

By examining how the UK Conservative Party has developed its immigration policy, this project will adopt a different approach from that used by many researchers, who have tended to overlook the role of mainstream political parties in influencing immigration policy. This thesis will therefore consider party policy as the dependent variable with a number of factors acting as independent variables. There is much to be examined in this field: the ‘standard’ response of the Conservative Party to the ‘waves’ of immigration has been to call for, and legislate for, restrictions on the means of entry that permitted that particular type of immigration.<sup>11</sup> The policy of introducing restrictions began when the Conservative government brought to an end the relatively liberal immigration regime in 1962 with the Commonwealth Immigrants Act. Less than a decade later, the 1971 Immigration Act gave government much greater control over regulating immigration, with the exception of ‘patrials’ — those with close family connections to the UK. The policy of increasing restrictions continued under Prime Minister Margaret Thatcher. Although certain commitments from the 1979 manifesto were dropped, legislation was introduced to tighten up immigration rules. The 1981 British Nationality Act narrowed the concept of citizenship and signalled a clear break with the UK’s imperial legacy and consequent obligations. During the late 1990s, the Conservative Party once again turned up the volume on immigration, with only a brief hiatus during David Cameron’s early years in the leadership. In 2010, Cameron’s coalition government signalled their intention to reduce net migration to below 100,000 a year, tightened up the existing points-based visa system and set a cap on the number of non-EU migrants.<sup>12</sup>

It is a puzzle that while Britain has become increasingly open to the free movement of services, goods and capital, it has adopted more restrictive immigration policies, continuing to filter the movement of people and differentiating between ‘wanted’ and ‘unwanted’ forms of migration.<sup>13</sup> It is by no means clear how this transition has occurred, nor the extent to which influences within and outside the Conservative Party have impacted on the development of policy. At a time when immigration remains a priority for both parliamentary debates and news bulletins, when expenditure on border staff, the visa regime and other documentation, health checks for migrants, detention centres and related infrastructure is higher than before, it is more critical than ever to understand the complexities of this issue.

This thesis also seeks to examine whether the post-war Conservative Party succeeded in narrowing the gap between rhetoric and reality in its approach towards immigration and asylum. This ‘gap’ refers to the concept that Conservative immigration policy is tough in rhetoric when the Party is in opposition, but more moderate in action when the Party is in government. In 2005, the Conservative Party under Michael Howard pledged to take back control of asylum policy and withdraw from the 1951 Refugee Convention.<sup>14</sup> In practice, such a proposal would have been nearly impossible to implement and it was later quietly dropped. More recently, David Cameron’s Conservatives promised to reduce net migration to the ‘tens of thousands’, an outcome which experts claimed – publicly and privately – to be extremely unlikely, and which was not met by 2015. Such examples raise the question of why the Party would make pledges that it (most likely) cannot keep. The project will therefore scrutinise the processes involved in the formation of immigration policy, within the Party (representatives, officials, ordinary members) as well as within government and via the civil service, without ignoring the impact of the media and voluntary organisations.

## **1.2 Research questions**

Consequently, this project focuses on the following question:

What has driven and continues to drive the development of post-war Conservative Party immigration and asylum policy?

The following sub-questions will be considered in order to answer the main question:



1. To what extent is the policy-making process influenced by periods in government and periods in opposition?
2. In what sense do the following factors drive immigration policy?
  - a. The Party's fear of electoral defeat
  - b. The different leaders of the Party
  - c. The Party management, or, in other words, the extent to which the different factions leading – or aspiring to lead – the Party can be controlled
3. What is the impact of the perceived divide on immigration policy between elites and the general public? Is the policy-making process influenced by public opinion; Party activists and members; think-tanks and interest groups?

### **1.3 Main contribution and relevance**

This thesis argues that the Conservative Party's immigration policy-making is dependent firstly on whether the Party is in government or in opposition, and secondly that subsequent policy is heavily influenced by electoral calculations as well as by the leadership and the management of the Party. As a result, it is possible to explain past policy decisions, if there is information on the Party's electoral performances at a general and local level and its composition (that is, who is the leader, and which groups of Conservative politicians to a greater or lesser extent run the Party). This thesis makes four contributions to existing studies.

First, the thesis will help us to understand the significance of political parties in the process of formulating immigration policy. Parties are much more than a mere platform for filtering up policies to government for implementation. Although it is increasingly recognised that parties make a difference, few political scientists or historians of immigration have looked in detail at how immigration policy is made within parties – complex coalitions of competing interests and tensions – as well as within governments.<sup>15</sup> In undertaking a 'thick-descriptive'

look at the making of Conservative immigration policy, this thesis will make clear the enduring impact of political parties on policy-making, be they in office or in opposition.

Second, the thesis will examine why there often exists a gap between a party's promised immigration policy, and its implementation of that policy, and to what extent senior party figures are aware of this during the policy-making process. This thesis will consider, if a party does compromise once in power, why it does so, and in what ways it is influenced by organised interests. These influences may be within the party (from certain backbenchers, or supporters' groups for example) or from outside (from business groups, professional organisations, such as trades unions, or even other political parties). The use of the Conservative Party as a case study is fitting given the Party's longevity in office and its significant influence on the direction of UK policy.

Third, the thesis will consider the degree to which electoral positioning is an influence on immigration policy, and to what extent parties' policies are developed in relation to their position relative to other political parties. This is particularly interesting given the dynamics of immigration for a mainstream, centre-right party, which considers immigration policy as its 'territory' and a seemingly obvious vote-winner, and yet consistently tough rhetoric may not be the best option: a more hard-line stance will satisfy core voters, but risks alienating more moderate supporters and undermining party cohesion. It has been argued that this antipathy to immigration may cost the Conservatives enough seats to deny them a majority government in future general elections.<sup>16</sup> The project will also examine the extent to which parties adopt policies on immigration in the hope of attracting support at the ballot box or are motivated by broader concerns and hence seek to rally the electorate around policies in tune with those concerns.

Finally, this thesis contributes to the theoretical literature by bringing together existing theories into a new hybrid framework to explain policy-making. Given that few scholars who have looked at immigration policy have used both a political science and a migration studies approach, and given that it is rare for their work to draw on literature within the 'political parties' and the 'policy' fields, the research project will make a much-needed intellectual

contribution. This thesis deepens our understanding of how policy-making can be tracked and investigated. The approach could potentially be applied to other political parties or policy areas.

## **1.4 Outline of thesis**

This thesis examines the development of the Conservative Party's immigration policy as follows. A critical examination of the existing literature on political parties, policy-making and immigration is outlined in Chapter Two. This section considers the concepts and debates which are key to a greater understanding of immigration policy change. In order to situate this research within a wider context, this chapter offers an overview of the most frequently used explanatory frameworks. While the existing approaches are useful, they are often lacking in some way. The key point of this section is that political parties have rarely been studied as agents of migration policy change, because most research has tended to focus on economic factors and institutionalist accounts.

The theoretical and methodological frameworks which underpin this research are presented in Chapter Three. This is a political-historical thesis, which takes on an interpretivist approach as a conceptual framework for analysis, with the approach defined here as a socially constructed space in which policy-making is a result of opposing views taking place within webs of meanings that are in continuous conflict. The work develops and builds on a theoretical synthesis that is derived from existing theories from within political science and migration studies. By looking at how these concepts and theories can, for the first time, work together and complement each other, the propositions of the project are drawn out. The thesis then introduces and justifies the mixed methodology and methods which have allowed for the effective collection of data using elite, semi-structured interviews and analysis of both archival sources and grey material as well as contemporary media sources and memoirs.

The main findings of the research – based on empirical analysis – are presented in Chapters Four, Five, Six and Seven. The decision to divide the period from 1945 to 2015 into four roughly equal chronological chapters, and within each chapter, by parliamentary terms, is justified by the focus on policy-making in periods of government and periods of opposition. Each of the four periods is characterised by a dominant ‘type’ of immigration to the UK (such as economic or secondary migration/ family reunification), followed by a particular Conservative Party ‘response’ (such as administrative controls or legislation). The segmentation means that each period can be considered as a separate case study within a longitudinal, comparative historical analysis. A time frame shorter than the 70 years under review would not allow for the examination of the Conservative Party on multiple occasions as it transitions into and out of government. Each of the empirical chapters is divided into two sections: the first half gives a sense of the development of the Conservative immigration policy within a historical context. The second half provides an analytical explanation for these changes to policy.

The immediate post-war period, from 1945 up to 1964, as the UK moved from post-war reconstruction to economic recovery, is examined in Chapter Four. First, the more important changes in the Tories’ approach to immigration are considered. The Party’s policy-making is then explained using the theoretical framework expounded previously. Over six general elections and under four different leaders, the Party became gradually concerned by the immigration issue, sought to do something about it, commissioned committees and reports, resolved to let the matter stand, and then, finally, brought in legislation to limit the numbers. In 1955, the Home Secretary told Cabinet that it would be ‘necessary to pass some legislation sooner or later’.<sup>17</sup> It was not until 1962 that legislative controls on immigration were introduced.

The Conservative Party’s immigration policy from 1964 to 1979 is analysed in Chapter Five. The key developments in the Tories’ approach to managing immigration are presented first, followed by an analysis of the changes to policy which considers the validity of the propositions in question. Over five general elections and under three different leaders, the Conservatives struggled with the issue as it exposed – and widened – fault lines within the

Party, before eventually settling on a severe tightening up of immigration control. A contemporary report on the election of 1964 dismissed the arguments used by the minority in favour of further controls as ‘based more on fear than on facts’.<sup>18</sup> These arguments would, in time, become widely accepted – and not only within the Conservative Party.

The changes made to the Tories’ immigration policy from 1979 to 1997 are investigated in Chapter Six. Beginning with an examination of the more significant developments in the Conservatives’ dealings with the immigration issue, there is then an explanation for such changes. Over four parliaments, and under two different leaders, the Conservatives held on to office for an uninterrupted period of nearly two decades. By the 1990s, the Conservative Party had switched its focus; no longer were the Tories so concerned by the family reunification route, instead, they turned their attention to asylum seekers, of whom many were suspected to be fraudulent – a reaction to economic routes to the UK having previously been tightened up. Conservative policy was – to the frustration of ministers – a response to migrants entering the country under different labels.

In the final empirical chapter, the development of the Conservative Party’s immigration policy from 1997 to 2015 is examined. The Party endured three long periods in opposition and one period in government (albeit in coalition), five general elections, countless by-elections and four different leaders. The influences and the restraints on policy over a period of 18 years, during which there was considerable expansion of the European Union (from 15 to 28 member states) and growing public concern about the impact and implications of immigration, are examined. The context is one of frequent bouts of international instability, which have created new refugees in Syria, specifically, and the Middle East, more generally. By 2015, the Conservative Party had developed a system of managing immigration that was more restrictive, more extensive and more comprehensive than ever before.

Lastly, Chapter Eight summarises the findings from the empirical research in the previous chapters with the objective of providing a response to the main research question of this thesis: namely, what has driven and continues to drive the Conservative Party’s immigration policy? The findings that this thesis has identified through empirical analysis are presented.

The first section considers what can be understood from separating policy-making into periods when the Conservatives were in government and when they were in opposition. The second section assesses the ‘drivers of change’ (electoral considerations; the impact of leadership; the influence of factions) with regard to how they can explain the developments in Conservative Party immigration policy. Next, it moves on to the substantive and methodological findings of the study in terms of its contributions to knowledge and considers the applicability of the findings for a wider research context. Finally, this chapter acknowledges the limitations of this thesis, the challenges that have been identified during the research process and puts forwards suggestions for future work.

## Notes

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- <sup>1</sup> Scholars who have considered immigration policy development within a historical context include, but are not limited to, James Hampshire, Randall Hansen, Ian Spencer, D J Tichenor and Aristide Zolberg.
- <sup>2</sup> See Schmidt, M G. 'When parties matter: a review of the possibilities and limits of partisan influence on public policy'. *European Journal of Political Research*. 1996. 30(2). 155–83.
- <sup>3</sup> See Bale, T. 'Turning Round the Telescope: Centre-Right Parties and Immigration and Integration Policy in Europe'. *Journal of European Public Policy*. 2008a. 15(3). 315-330.
- <sup>4</sup> Ibid.
- <sup>5</sup> Boswell, C and Hough, D. 'Politicising Migration: Opportunity or Liability for the Centre-Right in Germany?' In. ed. Bale, T. *Immigration and Integration Policy in Europe: Why Politics - and the Centre-Right – Matter*. (London: Routledge, 2008).
- <sup>6</sup> Givens, T and Luedtke, A. 'European immigration policies in comparative perspective: issue salience, partisanship and immigrant rights'. *Comparative European Politics*. 2005. 3(1). 1–22.
- <sup>7</sup> Hampshire, J. 'The Future of Border Control: Risk Management of Migration in the UK'. In. eds. Fassmann, H; Haller, M and Lane, D. *Migration and Mobility in Europe: Trends, Patterns and Control*. (Cheltenham: Edward Elgar, 2009).
- <sup>8</sup> Layton-Henry, Z. 'Britain: The Would-Be Zero Immigration Country'. In. eds. Cornelius et al. *Controlling Immigration: A Global Perspective*. (Stanford: Stanford University Press, 1994).
- <sup>9</sup> Freeman, G. 'Commentary'. In. eds. Cornelius et al. *Controlling Immigration: A Global Perspective*. (Stanford: Stanford University Press, 1994).
- <sup>10</sup> Hansen, R. *Citizenship and immigration in postwar Britain*. (Oxford: Oxford University Press, 2000).
- <sup>11</sup> Hampshire, J. *Citizenship and Belonging: Immigration and the Politics of Demographic Governance in Postwar Britain*. (London: Palgrave Macmillan, 2005).
- <sup>12</sup> Bale, T, Hampshire, J and Partos, R. 'Having One's Cake and Eating It Too: Cameron's Conservatives and Immigration'. *Political Quarterly*. 2011. 82(3). 398-406.
- <sup>13</sup> Geddes, A. *The Politics of Migration and Immigration in Europe*. (London: Sage, 2003).
- <sup>14</sup> Bale et al, 2011, op. cit.
- <sup>15</sup> See Bale, 2008a, op. cit. and Hansen, 2000, op. cit. Spencer, I. *British immigration policy since 1939*. (London: Routledge, 1997) and Winder, R. *Bloody Foreigners*. (London: Abacus, 2005).
- <sup>16</sup> See Stratton, A. 'Tories need ethnic minority votes to retain a parliamentary majority'. *The Guardian* [online] 2011. Available at <http://bit.ly/vz8tse> [accessed 20 August 2012].
- <sup>17</sup> The National Archives of the UK (TNA): CAB/129/72/16, 'Colonial immigrants: Memorandum by the Secretary of State for the Home Department and Minister for Welsh Affairs', 3 May 1955.
- <sup>18</sup> Singham, A W. 'Immigration and the election'. In Butler, D E and King, A. *The British General Election of 1964*. (London: Macmillan & Co, 1965). 363.

## **Party Positions on Immigration**

The politics of immigration is deeply contested, and policy-making in this field is no less controversial. In order to explain changes to immigration policy, it is worth considering how existing research has sought to explain such developments. This chapter reviews the academic debates so as to identify the major findings and to assess what is missing from existing literature. Generally speaking, research in this field has tended to emphasise economic and social factors and to privilege institutionalist accounts. While political parties might be regarded as falling under the broad category of institutionalism, parties have rarely been studied as agents of immigration policy change. Existing work in this field is generally explanatory or technically-focused, and there is space for an interpretivist approach which seeks to find out how party policy-making really works. This chapter argues that political parties – and more specifically, elite understandings and interpretations of immigration – must be brought into explanations of policy change.

In order to situate this research within a wider context, this chapter offers an overview of the most frequently used explanatory frameworks. First, it begins by looking at political economy models, which generally argue that a country's system, or 'type', of political economy dictates its migration policy. Next, the chapter explores institutionalist accounts, which argue that immigration policy is defined by the relative strengths and weaknesses of a country's executive, legislative and judiciary. The chapter then moves on to discuss the interplay between public opinion and policy-making as a key part of the democratic process, but one that is not without its problems. While these approaches – and variants of them – are useful to scholars of migration policy, each of them is lacking in some way.



In order to get a fuller understanding of the making of policy, the focus must be on political parties. They do, after all, make up the governments which implement policy. Political parties do not exist in a vacuum: they act, and they are *acted upon*. They structure the process of policy-making by bringing together issues and ideas. Finally, the chapter tightens its focus by providing an overview of the existing research on political parties and immigration policy-making in the Western world.

## 2.1 Political economy models

Within the last 20 years or so, scholars of migration policy and politics have sought to emphasise the importance of the *interaction* between economic, social and political factors. Writing in 1992, James Hollifield said there had been no ‘clear attempt to examine the way in which the interaction of politics and markets affects migration’.<sup>1</sup> Instead, scholars had looked at these factors in isolation, concentrating on ‘the economic (push-pull) or the politics (policies) of migration’.<sup>2</sup> Hollifield called for a move towards a political economy of international migration. Since then, scholars such as Georg Menz and Alex Caviedes have argued, respectively, that migration policy is strongly influenced by different systems of political economy and that research in this field must deal with political-economic factors.<sup>3</sup> Caviedes refers to his work as ‘an economically-informed viewpoint to the body of scholarship on immigration policy’.<sup>4</sup> If anything, it looks as if political economy is likely to become more important to the development of migration policy in the Western world. Terms such as ‘managed migration’, in which the economic argument is critical, have become commonplace in the literature. The ‘core’ of managed migration is ‘managerial, economic and restrictive, focusing on the potential economic and social contributions by immigrants to host societies’.<sup>5</sup> Menz predicts a future in which policy will be ‘less influenced by humanitarian factors and more by economic rationale’, and policy proposals will pay lip service to both populists and pragmatists.<sup>6</sup>

Many scholars of the political economy tradition concentrate on the tensions that liberal democracies hold for the policy-maker in terms of limiting policy options – but this territory is not limited to political economists. In his 2013 text, James Hampshire contends that there are four key features of the liberal state – representative democracy, constitutionalism, capitalism, and nationhood – which produce conflicting imperatives for policy-making.<sup>7</sup> The result is policy that is muddled or inconsistent.<sup>8</sup> In a study on immigration and the political economy of post-war Europe, Hollifield considers those political and economic factors (such as globalised labour markets and greater rights for minority groups) which have influenced the rise in immigration levels in the Western world.<sup>9</sup> Caviedes argues, however, that globalisation is not the answer in itself, or at least not the primary force. He says that migration should not be perceived as a ‘symptom’ of globalisation but ‘an economic policy tool for mediating the effects’ of globalisation.<sup>10</sup> It is less difficult to control the flow of migrants than the flow of capital.<sup>11</sup>

For scholars such as Caviedes and Menz, the system, or type, of political economy is a determining factor in a country’s migration policy.<sup>12</sup> In his 2008 text, Menz considers how European countries are seeking to combine more permissive channels for those desirable migrants (the highly-skilled and well-paid) with increasingly tough policies for those migrants deemed to be less in demand (the unskilled or asylum seekers).<sup>13</sup> He finds that the relative success of non-state actors (such as employer organisations and trade unions) in influencing immigration policy depends on the system of political economy and the relative size of elements of the economy which they inhabit.<sup>14</sup> Caviedes argues that ‘the labour market preferences of firms cannot be understood in isolation from their national market institutions’.<sup>15</sup> This is, in part, a follow-up to his line of argument that labour migration policy is ‘increasingly determined at the sectoral level’.<sup>16</sup> However, it is not the case that sectoral preferences lead directly to the sectoral policy outcomes; the state’s *type* of political economy shapes its immigration policy.

Similarly, Gary Freeman’s typology of interests (see Table 1) finds that immigration policy is a result of both the substance and the relative power dynamics of (economic) interests within society. In his 1995 paper, Freeman looked at the political process in liberal

democracies as one major element of self-limited sovereignty.<sup>17</sup> Some scholars, such as Joppke, argue that interest groups, or ‘immigration clients’ are responsible for changes to immigration policy.<sup>18</sup> Building on his 1995 work, Freeman proposes a typology in which ‘immigration policy can be disaggregated into [...] components which are associated with different issues and patterns of benefits and costs that elicit distinctive modes of politics’.<sup>19</sup> By bringing together the work on policy of Lowi and Wilson, who respectively, argue that there are three categories of policies (distributive, redistributive and regulatory) and that policies have distributional consequences (benefits and costs can be concentrated or diffuse, which leads to different types of politics), Freeman is able to refine these frameworks to differentiate between four types of policy.<sup>20</sup>

Table 1: Four types of Policy and Politics<sup>21</sup>

<b>Policy type</b>	<b>Migration type/policy</b>	<b>Mode of politics</b>
<b>Concentrated distributive</b>  (i.e. concentrated benefits/ diffuse costs)	Permanent residence visa	Client
<b>Diffuse distributive</b>  (i.e. diffuse benefits/ diffuse costs)	Non-immigrant visas for purposes other than work	Majoritarian
<b>Redistributive</b>  (i.e. concentrated benefits/ concentrated costs)	Non-immigrant visas for work, welfare for immigrants, non-immigrants and asylum seekers	Interest group
<b>Regulatory</b>  (i.e. diffuse benefits/ concentrated costs)	Asylum claims	Entrepreneurial

Thus, for example, policies which have concentrated benefits and diffuse costs, such as permanent residence visas, are likely to lead to ‘client politics’, in which ‘relatively small and easily organised groups lobby [...] for policies that provide them with direct benefits’.<sup>22</sup>

Freeman finds that the policy types tend to produce the predicted modes of politics; at times, depending on the economic situation, for example, some follow his model more closely than others.<sup>23</sup>

In something of a test of Freeman's model, Paul Statham and Andrew Geddes, in their work on interest groups and NGOs (non-governmental organisations), find that the direction of immigration policy is highly institutionalised and dominated by elites, rather than the 'outcome of an organised pro-migrant lobby winning over a resource-weak diffuse anti-migrant lobby' as Freeman suggests.<sup>24</sup> In his text of 2000 on immigration in post-war Britain, Randall Hansen attributes importance to the influence of elites. He notes that when UK immigration policy was restrictive, this was because 'elite preferences were channelled into policy outcomes more directly in Britain than in any other liberal democracy'.<sup>25</sup>

In much of the political economy and migration literature, there is a new-found emphasis on businesses and employers' groups. Caviedes refers to employers as the 'initiators of policy reform', 'key actors'; Menz says that employers' interest in certain types of migrants 'strongly condition[s] government policy'.<sup>26</sup> The literature argues that businesses are entities which directly experience worker shortages (or surpluses) and which have no hesitation in making their needs known to government. Furthermore, there are few barriers to employers being involved, or even being seen to be involved, in helping develop labour migration policy – and many benefits. Caviedes argues that employers want flexibility: their policy preferences are strongly informed by the flexibility needs which vary from sector to sector, and which reflect changes in the labour market.<sup>27</sup> He identifies four types of flexibility: 'numerical', which is the extent to which management can take on or dismiss workers in line with fluctuations in demand; 'temporal', which is the freedom to adjust the amount of labour in responses to shifts in economic demand (e.g. seasonal); 'wage', which is the extent to which employers can set salaries, independent of collective bargaining agreements or statutory pay scales; and lastly, 'functional', which is the degree of effort required to switch employees' tasks in response to changes in demand, which depends also on how rigidly duties are described in employment contracts and collective agreements.

Some scholars look specifically at the UK and how ‘the acceptance of immigration [has] historically hinged on economistic calculations’, which Menz argues is a ‘thread of continuing importance’.<sup>28</sup> Caviedes uses the UK as a case study to support the argument that employers are the key actors in driving immigration policy, even if it is the government which often takes the lead in initiating policy changes. He finds that there has been ‘a close alignment between business preferences and British policy decision decisions’.<sup>29</sup> However, this comes with a caveat. Until fairly recently, he argues, little effort has been spent on using labour migration in a systematic way to deal with specific skills shortages in particular sectors. This is down to peculiarly British reasons: UK immigration policy in the post-war period has concerned itself mostly with political and social, rather than economic, implications. British industrial relations have been characterized by ‘decentralized and a-sectoral patterns’, while employers have engaged in ‘atomized lobbying practices’, meaning that only very large, and often public, enterprises (for example, see the National Health Service in the post-war years) can force policy change.<sup>30</sup> Business organisations such as the CBI have maintained a lower lobbying profile; they have done little more than make ‘general appeals for expanded schemes for short-term, seasonal and casual migrant labour’.<sup>31</sup> The difficulty for Caviedes is that, in the absence of a cohesive business community actively agitating for distinct policy preferences, it is the British government which must be viewed as the key actor in the development of labour migration. But if one goes down a level, ‘it is employers and employers’ associations at the *sectoral level* that provide the *necessary information* concerning labour needs’ (my italics).<sup>32</sup>

While the fields of policy-making and migration studies can benefit from an economically informed viewpoint which considers the interactions between politics and markets, the political economy model is not without its problems. Christina Boswell argues that political economy approaches to migration, while ‘theoretically robust’, come at the cost of oversimplification.<sup>33</sup> Although the emphasis on businesses and employers’ groups as a factor in migration policy development is to be welcomed, there is little to no acknowledgement that these organisations are products of their environment, and do not necessarily behave in a way that seems, logically at least, in their own interests. It is questionable too whether the political economy model is sophisticated enough to accommodate different political ideologies when

generally all governments (of different colours) within one ‘type’ of political economy are regarded as being, in effect, the same and pursuing the same policies. Finally, while political economists acknowledge that governments are the key agents in the development of migration policy, there is no attempt to examine the institutions that make up the government.

## 2.2 Institutional accounts

Institutionalist scholars generally emphasise the formal organisations or bodies of government as moderators of immigration policy. Frequently, institutions apply an expansionary pressure to often restrictive policies. Institutional scholars tend to regard institutions (such as the civil service and the judiciary) as relatively independent bodies, at least in democracies; the actors within such institutions can – and do – exercise a reasonable degree of power, and they are obliged to do so in a supposedly non-partisan way. Their actions may well go against the immigration control policy objectives of the governing political party.

The judiciary in liberal states, as Christian Joppke conceives it, is supposedly independent from political pressures, and obliged to act according to the principles of non-discriminatory law – thus, the legal process is seen as a relatively expansionary influence on immigration policy, in the face of a (generally) restrictive executive.<sup>34</sup> Actors within such institutions can rely on legal texts which tend to be ‘neutral’ with regard to the nationality of those involved.<sup>35</sup> Virginie Guiraudon’s ‘institutional sociology’ approach seeks to explain how bureaucracies as well as the judiciary have played a role in expanding rights to non-national residents, simply through the inclusionary, non-discriminatory nature of the law and the welfare state.<sup>36</sup> Her approach emphasises a struggle to exert control among actors. It is this conflict that means that developments in policy may appear to be ‘contradictory and adhocistic’.<sup>37</sup>

The institutional argument operates within a sphere in which bodies are actively trying to bolster their own power, and undermine that of their competitors (or ‘escape domestic

adversaries’).<sup>38</sup> Guiraudon portrays the civil service as acting in their own interests and trying to reclaim lost land; referring to one episode she says that ‘migration control bureaucrats went transnational at that particular moment because they had seen their action increasingly constrained in the early 1980s’.<sup>39</sup> She argues that policy actors seek venues that are conducive to their own interests, so they appeal to international organisations and existing legislation. By avoiding the creation of an international migration regime with precise mechanisms, civil servants could evade legal limitations and scrutiny.<sup>40</sup>

The argument of convenience is a variation on this concept of competing institutions and organisations. In her case study of France, Germany and the Netherlands, Guiraudon argues that ‘incorporating migrants into existing legal and bureaucratic structures seems more politically acceptable than setting up special programmes and special rules for migrants’ and is also less costly in economic terms.<sup>41</sup> Furthermore, incorporation into existing systems works well for the courts: their legitimacy, Guiraudon argues, is bolstered by an appearance of consistency in passing judgements. This is because ‘if [courts] treat different groups/constituencies differently, they will not be credible as neutral arbiters’.<sup>42</sup>

Britain, however, is more immune than most liberal states to interventions of this kind. Hansen argues that Britain’s institutional framework makes it unusual: ‘the UK succeeds where others fail [in implementing policies to control migration] because its self-imposed constraints are weaker’.<sup>43</sup> By this he means that the UK has a ‘strong’ executive, a ‘weak’ legislature and a ‘timid’ judiciary which has meant that governments, once they respond to public demands, are able to restrict immigration relatively quickly and effectively.<sup>44</sup>

Institutionalist accounts often subscribe to a path-dependent view, highlighting the notion that changes to policy, and more generally, institutions, limit what can be done in future. Once an arrangement has been put in place, or a particular group has been provided with concessions, this is very difficult to undo.<sup>45</sup> Hansen refers to a kind of ‘stickiness’ which acts as an obstacle to change.<sup>46</sup> This is one explanation for variance within countries’ immigration policies: ‘original policies proved difficult to reverse or modify’.<sup>47</sup> Thus, he argues that the Kenyan Asians who entered the UK in 1968 ‘would have had no legal right of entry without

the combined feedback effects of 1948 and 1962 legislation'.<sup>48</sup> The concept of a 'feedback loop' which restricts the direction of policy and related events is alluded to in accounts which emphasise the importance of legacy in restricting policy-making. As Stephen Castles and Mark Miller put it, the UK is the exception to the West European pattern in that most post-war immigrants entered with full citizenship and voting rights, in part because of the UK's obligations to the Commonwealth and Ireland.<sup>49</sup>

Institutionalist accounts provide an important focus on institutions as (generally) moderating influences on immigration policy. However, Boswell is sceptical of accounts which stress institutional resistance to executive policies; she says that 'this begs the question of the origins of organisational capacity to resist the interests of politics'.<sup>50</sup> Could these institutions be dismantled by other institutions within the state, should their actions be in conflict with (higher) interests? She argues that these characteristics, say, the separation of powers, or judicial independence, are such fundamental components of a liberal democratic system that 'the state cannot simply roll back these provisions where the actions of these bodies conflict with its own political interests'.<sup>51</sup> However, she does not consider that these traits can be *undermined* by the executive, if not fully dismantled. In focussing so heavily on institutions, there is also a tendency to overemphasise the power of institutions with regard to the pressure that they are under from executive policies. Institutionalist accounts rarely acknowledge the political parties, whose members make up parts of the executive and the legislature and, sometimes, the judiciary, nor do they consider the influence of public opinion.

## 2.3 Public opinion as a driver of policy-making

Public opinion is considered by some scholars as fundamental to the development of public policy, and, indeed, a functioning democracy. Stuart Soroka and Christopher Wlezien argue that 'representation of the public's policy preferences remains a – if not *the* – central concern in electoral and inter-electoral politics'.<sup>52</sup> Given that (elected) politicians must satisfy the public in order to retain their position, 'politicians have both a keen interest in representing



the public and the seeming means to do so'; or at least they are better able to do so, following the development of more sophisticated tools for capturing public opinion.<sup>53</sup> Soroka and Wlezien's model of 'opinion-policy dynamics' works along these lines: 'a responsive public will behave like a thermostat [...] adjusting its preferences for "more" or "less" policy in response to what policymakers do'.<sup>54</sup> The direction of influence works both ways, that is, the link between public opinion and policy is a reciprocal one – 'policymakers respond to changes in public preferences over time'.<sup>55</sup> After all, if it was not for voters' responsiveness to policy, there would be 'little basis for policy responsiveness to public opinion. Politicians not only would have little incentive to represent preferences in policy; they would have little information to go on, as public opinion would be an essentially meaningless signal'.<sup>56</sup>

Other scholars also posit that there is a two-way transfer, or even a theoretical interconnection between the policy-makers and public opinion. In many ways, these concepts and models have much in common with the work of David Easton and Karl Deutsch on public responsiveness (or how processes can be applied to societies and governments) as an important part of modern democratic systems. Easton emphasises the idea of a 'feedback loop', or a connection between inputs and outputs, in which a system can take on preferences (or public opinion) and respond (with policy), perhaps *ad infinitum*.<sup>57</sup> Deutsch's 1966 text, *The Nerves of Government* proposes an equally mechanistic model. Feedback is 'a communications network that produces action in response to an input of information, and includes the results of its own action in the new information by which it modifies its subsequent behaviour'.<sup>58</sup> Thus there exists 'goal-changing feedback' in which the goal can change over time based on new information coming in. Of greater direct relevance to work on policy-making and public opinion is Deutsch's concept of a 'representative government' and a 'reactive public' which exist in a system that involves both lag ('whether governments react in a timely manner to preferences for change') and gain ('whether the extent of the change is less, more, or exactly what the public wants').<sup>59</sup>

Such models make assumptions on the capacity of ordinary citizens to understand policies and policy development, and are open to the criticism that too high expectations are being laid upon the public. Soroka and Wlezien acknowledge this, and state that it would be an

‘extreme’ case if ‘voters [were] continuously monitoring the world, looking for evidence of policy activity’.<sup>60</sup> In Page and Shapiro’s 1992 text, *The Rational Public*, ordinary citizens are portrayed as individuals with sensible and coherent preferences, which change over time in response to events and information.<sup>61</sup> In much the same way, Zaller’s ‘reception-acceptance model’ relies on a general public receiving and accepting new information and updating their preferences accordingly.<sup>62</sup> This processing of relevant information regarding policy is critical if the policy-opinion thermostat model is to work properly.

Other scholars argue that the expectations on the public regarding policy changes are, in fact, rather low. After all, the thermostatic model is not a particularly nuanced or complicated one; it requires only ‘that people can tell whether policy has gone “too far” in one direction or “not far enough” given their preferences’.<sup>63</sup> (Of course, they must be aware of their preferences.) However, in their defence, Soroka and Wlezien refer to a ‘growing body of work [which] suggests that public responsiveness to policy is within the realm of possibility’.<sup>64</sup> Despite these seemingly vague impressions of policy, relative preferences will change over time. The model does not require a body of totally committed and informed individuals armed with a comprehensive knowledge of all policy areas either. Instead, all that is necessary is that ‘*some* meaningful portion of citizens have a *basic* preference for policy change in one direction or the other and that they adjust this preference over time in reaction to what policymakers do, based on the information those citizens receive’ (my italics).<sup>65</sup>

Some scholars suggest that elites make use of public opinion to use techniques which border on manipulation in order to further their agendas. Jacobs and Shapiro’s 2000 text *Politicians Don’t Pander* argues that elites do not follow the public’s policy preferences and that they follow public opinion in order to understand and *change* public opinion so that they may win support for their policies.<sup>66</sup> Scholars such as Soroka and Wlezien refer to a kind of feedback involving political elites. So, it may not be the case that the public – at times – responds well to policy changes, or the cues that correspond to such changes. Instead, ‘politicians [...] effectively mobilize opinion in advance of policy change, in effect to create the support that they then can represent’.<sup>67</sup>

The mobilising of public opinion is considered by some scholars in conjunction with the development of Western immigration policy.<sup>68</sup> Gallya Lahav finds evidence that public attitudes within Europe are both ‘informed’ and ‘stable’ and that there is ‘a predictable and systematic attachment to immigration issues that expose a fairly sophisticated European public and that are reflected in EU policy developments on immigration and asylum’.<sup>69</sup> Lahav argues that there is a particularly nuanced relationship between public opinion and policy-making, one which other scholars may have been sceptical of for some time, given, as she puts it, that immigration policy has long been made ‘in the absence of public debate’.<sup>70</sup> However, she finds evidence that public opinion, while not the ‘decisive factor’ in policy-making, may be used by leaders who can ‘convert’ and ‘translate’ issues such as immigration on to the agenda.<sup>71</sup>

Public opinion is cited to be a driving force behind the development of immigration policy in the UK. Looking at the Churchill leadership of the Conservative Party in the late 1940s and early 1950s, Andrew Roberts gives an account of the formation of immigration policy as a response to growing public concern about rising numbers of immigrants: ‘there was no premeditated political programme’.<sup>72</sup> Instead, short-term expediency and constituents’ correspondence to MPs guided the 1950s Conservative governments on immigration policy.<sup>73</sup> Some 20 years later, the situation had changed little; public opinion continued to influence immigration policy making.<sup>74</sup> Studlar’s text, which looks at the 1970 general election, strongly suggests that the wholly unexpected victory of the Conservative Party was in part down to the public’s perception that the Tories were tougher on immigration than their Labour opposition. In fact, despite the British public finding clear differences between the two parties, there was little difference: the 1970 manifestos of the Conservatives and the Labour Party did not differ significantly.<sup>75</sup> The public’s belief that the Conservatives were tough on immigration reflected the impact of Enoch Powell’s hard-line speech of 1968; it did not seem to register with voters that the speech had led to his dismissal from the Conservative frontbench.

Referring to this episode, Studlar suggests that ‘people bring their perceptions of the parties and their opinions on immigration into line with their votes, rather than the reverse’.<sup>76</sup> Memories of Powell’s infamous speech served to ‘reinforce the perception that the Conservatives, alone, understood the make-up of public attitudes on the issue’.<sup>77</sup> So much so that the Conservatives became known by voters as the ‘party of Powell’.<sup>78</sup> McLean suggests that it was ‘only because of Powell’ that the Tories were considered to be ‘the party most likely to restrict coloured immigration’.<sup>79</sup> In fact, as Studlar puts it, ‘the events of the [1970] parliamentary campaign [...] worked to associate Powell’s position with the Conservative party, however much the party may have balked at the notion’.<sup>80</sup> McLean argues that the unforeseen Tory victory at the 1970 general election was due to ‘the popularity of Powell’s view[s]’.<sup>81</sup>

More recent work has continued to argue that public opinion is critical to, and constrains, immigration policy-makers, despite evidence that there is a great deal of ignorance regarding immigrants and immigration.<sup>82</sup> It is commonly reported that citizens consistently overestimate the actual number of immigrants living in their country.<sup>83</sup> In Ipsos MORI’s report of 2013, the mean estimate of the proportion of foreign-born people in the UK was 31 per cent, compared to an actual proportion of around 13 per cent.<sup>84</sup> Such erroneous perceptions have consequences – after all, ‘common majority sentiments identified in surveys’ consistently find that there are ‘too many’ migrants and thus ‘too few’ natives.<sup>85</sup> John Sides and Jack Citrin, who undertook analysis of respondents in 20 European countries, find that opinion about immigration is unrelated to the economic or demographic circumstances of the country: citizens of countries with greater numbers of migrants or a worse economic outlook do not display more resistance to immigration.<sup>86</sup> What does seem to impact on public opinion are symbolic predispositions: there is a ‘significant relationship between a preference for cultural unity and opposition to immigration’.<sup>87</sup>

## 2.4 Political parties and policy-making

Importantly, political parties are not left out from models of policy and public opinion; in fact, they often stand out. Political parties structure the process of policy-making by bringing together issues and ideas, in doing so, they provide a valuable service.<sup>88</sup> Parties and politicians make the ‘cues’ – and for which they have a strong incentive to do – that the general public rely on to change their preferences. In other words, the ‘logic of party competition for votes encourages the structuring of policy alternatives – at least where citizens’ decision-making is concerned – in relatively simple ways’.<sup>89</sup> Competition is fundamental to the functioning of the model because it is crucial to the transfer of information from government to voters.<sup>90</sup> But it is not only fear of losing seats which compels parties to listen to a public that can reward or punish on the basis of how their personal preferences match up with the actions of the government. Some politicians may believe they are agents bound to represent public preferences in policy: Margaret Thatcher was ‘not in politics to ignore people’s worries [...] [but] to deal with them’.<sup>91</sup> Or perhaps, somewhat conveniently for elites, the public’s preferences sometimes tidily coincide with their own, and their party’s preferences. Regardless, parties are important: policy can [and does] diverge significantly simply because of party control of government’.<sup>92</sup>

Political parties have a critical role to play in the making of public policy.<sup>93</sup> Although in recent decades there has been some discussion of the degree to which political parties impact on policy, there is little evidence that parties’ impact on policy has declined.<sup>94</sup> In Manfred Schmidt’s extensive review of the existing literature on political parties and public policy, he finds that parties do propose different options from those advocated by their contenders and they do drive policy-making.<sup>95</sup> In trying to distinguish themselves from their competition, parties’ policy-making is influenced by elections and electoral results. This is the core of partisan theory (associated with Hibbs’ 1977 text), which hypothesises that policy tends to vary in response to electoral outcomes.<sup>96</sup> Scholars have noted that applications of partisan theory to empirical data of OECD countries have generated very different results.<sup>97</sup> Imbeau et al posit that it is difficult to show impact: the ‘partisan effects would be too subtle to ensure sufficient robustness of cross-sectional statistical estimates’.<sup>98</sup> The impact may be subtle, but

that does not mean that parties are not dynamic objects; parties ‘help to structure as well as reflect voter opinion – not only in terms of what citizens think but also what they think about [...] they respond to pressure but they also help to cue, channel and even ramp it up’.<sup>99</sup> Similarly, Triadafilos and Zaslove contend that parties have a ‘central role in representing competing societal preferences and, through participation in government, translating programs into public policy’.<sup>100</sup> This, they argue, makes it all the more curious why so little research has been done on political parties and migration.

In recent years, efforts have been made to consider political parties as agents of *immigration* policy-making.<sup>101</sup> Earlier literature on parties and policy-making has tended to focus on parties’ influence on the generosity (or otherwise) of the welfare state or economic policies, in part because quantitative data on these topics was readily available.<sup>102</sup> Previous research on immigration policy-making has concentrated on the state, and thus neglected to account for the role of political parties in determining immigration policies. Recent work has given political parties greater credit with regard to their impact on immigration policy.

Writing in 1997, Lahav argues that parties continue to be significant in shaping the dialogue on immigration in Europe, but parties also act as a constraint on immigration policy-making.<sup>103</sup> She points out that political parties compete on the issue of immigration policy, yet there is little leeway for difference. Most political parties push for more restrictionist policies. Immigration policy is ‘marked by uneven political contestation’ because there are few votes for expanding immigration or extending the vote to immigrants.<sup>104</sup> Despite this, parties *do* matter; ‘although the immigration issue has appeared to obscure ideological/party differences, party affiliation persists in differentiating attitudes towards immigration’.<sup>105</sup> This fits with Lahav’s observation that ‘MEPs devalue the role of these traditional sources [parties or party groupings] in structuring their thinking, but their positions on immigration may be distinguished by party identification’.<sup>106</sup>

Tomas Hammar takes a normative approach and argues that political parties function to solve social problems according to their party ideologies and the interests of voters. Immigrants, he says, as long as they remain foreign nationals, cannot vote, and so, parties, with no

prospect of electoral gain, may ignore immigrants' interests. In such a situation, the logical line for a party to take will be based on their evaluation of how immigration will affect the welfare of their (non-immigrant) constituents.<sup>107</sup> True, Hammar accepts that those immigrants who can vote – and very likely their descendants – are more likely to vote for left-wing, or social-democratic parties than conservative parties. However, nearly all political parties presume that (some of) their voters possess some degree of anti-immigrant feeling.<sup>108</sup> Parties must therefore walk a fine line between appeasing those with anti-immigrant views and not alienating new arrivals and their descendants.

Along the same lines, Martin Schain regards political parties as a 'driving force' in the development – and politicization – of immigration policy, in part because the issue can be a useful one for parties.<sup>109</sup> After all, political parties, he argues, are 'responsible' for the framing, shaping and placing on the political agenda of the issue.<sup>110</sup> There are a number of reasons why the immigration issue is so valuable to parties. For one, the very process of immigration has an impact on the expanding, and changing nature, of the electorate. For vote-seeking parties, immigrants are of particular interest because, Schain argues, they have not been 'socialized' within the system of their host country, and are thus more 'available' than native citizens.<sup>111</sup> On the other hand, parties can exploit the issue of immigration, or make use of an opportunity to 'shift committed native voters from one party to another'.<sup>112</sup> Immigrants then, exemplify a challenge to society, in terms of their very existence and their integration. Thus, for parties, the immigration issue may well possess a 'usefulness in altering the electoral balance'.<sup>113</sup> Ted Perlmutter focuses on the critical role that political parties play in politicising or depoliticising the issue. While he argues that political parties are 'autonomous actors' and central to the development of immigration politics, he contends that 'the politicisation [of immigration] is deeper than Freeman has argued [...] its roots lie in the inability of mass parties to control the political agenda'.<sup>114</sup> Furthermore, he argues that Freeman's portrayal of depoliticisation, while accurate in situations in which 'the national agenda of mass parties control the political agenda' is less applicable to instances in which the narrative has been challenged.<sup>115</sup>

Triadafilos and Zaslove argue that political parties are ‘critical nodes’ connecting broader forces (such as ‘traditions of nationhood, international human rights, and liberal norms and procedures’) to political processes.<sup>116</sup> They recognise that party politics plays an important role in determining policy-making and that a party-focused approach may result in a greater understanding of the dynamics of ‘changing preferences, their relation to strategic interests, and the means by which they are activated in policy-making processes and transformed into legislation’.<sup>117</sup> Similarly, Adams et al conceive of what they call a unified theory of party competition which can account for party policy variation.<sup>118</sup> Their theory brings together the spatial model of elections (associated with the rational choice tradition) in which policy considerations are the dominant influence of voter choice with the behavioural model (associated with empirical research) in which non-policy issues matter too. Triadafilos and Zaslove predict a more substantial role for political parties in migration as the issue becomes a means of dividing up political territory that is ever more contested.<sup>119</sup>

Much research has shown that the party in office has a strong effect on shaping the state’s policy. Hansen’s book on citizenship and immigration in post-war Britain, which emphasises contingency and institutions as drivers of migration policy, contends that political parties have exercised their influence. He argues that ‘the deferral of migration restrictions until 1962 [...] resulted from the intersection of ideology and partisan power’, with the main political parties (and especially the Conservatives) showing a fondness for the Commonwealth and the rights of its citizens.<sup>120</sup> Certainly, UK governments of the post-war years have been – on the whole – restrictionist in their approach towards immigration policy, but party political differences continue to matter. There are, it seems, ‘party political shades of elite restrictionism’; in the UK, Conservative governments took a much more restrictive stance than their Labour counterparts over the period from 1990 to 2004.<sup>121</sup>

Terri Givens and Adam Luedtke look at the ‘variable role of political partisanship across different areas of immigration policy’ and come to an interesting conclusion.<sup>122</sup> They hypothesise that ‘Left and Right parties are equally restrictive *vis-a-vis* policies to control immigration, but Right parties are more restrictive *vis-a-vis* policies to integrate already-resident immigrants into society’.<sup>123</sup> Research has found that the main UK political parties



push for similar policies on immigration control, but that there is variance on their policy positions for immigrant integration.<sup>124</sup> Givens and Luedtke find some support for their hypothesis that as the immigration issue becomes more salient, the influence of ‘client politics’ decreases and immigration policy becomes tougher.<sup>125</sup> Their research finds that party political differences ‘play a strong role in policies towards the integration of already-resident immigrants’, but that they have less impact on immigration control policies.<sup>126</sup>

## 2.5 Conclusion

This chapter has set out an overview of existing research in this field, which offers different explanations for the development of immigration policy. Research in this field has tended to focus on economic factors and institutionalist accounts, with a heavy emphasis on the technical detail of policy-making. Despite extensive research on migration policy-making, there are omissions within the literature, and there is space for an interpretivist approach which unpicks the ways in which elites have understood and managed the issue. This chapter has argued that political parties have not been studied fully as influential actors in their own right, and that researching the making of UK immigration policy by focusing on the Conservative Party serves to enhance existing research.

## Notes

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<sup>2</sup> Ibid. 568.

<sup>3</sup> Menz, G. *The Political Economy of Managed Migration*. (Oxford: Oxford University Press, 2008). 7 and see also Caviedes, A. *Prying Open Fortress Europe: The Turn to Sectoral Labour Migration*. (Lanham, Maryland: Lexington Books, 2010). 106.

<sup>4</sup> Caviedes, 2010, op. cit. 3.

<sup>5</sup> Menz, 2008, op. cit. 2.

<sup>6</sup> Ibid. 20.

<sup>7</sup> Hampshire, J. *The Politics of Immigration: Contradictions of the Liberal State*. (Cambridge: Polity Press, 2013).

<sup>8</sup> Ibid.

<sup>9</sup> Hollifield, 1992a, op. cit. and Hollifield, J. *Immigrants, Markets and States: The Political Economy of Postwar Europe*. (Cambridge, Mass: Harvard University Press, 1992b).

<sup>10</sup> Caviedes, 2010, op. cit. 53.

<sup>11</sup> Ibid. 53 and see also Weiner, M. *The Global Migration Crisis: The Challenge to States and to Human Rights*. (New York: Harper Collins, 1995).

<sup>12</sup> Caviedes, 2010, op. cit. 13 and Menz, 2008, op. cit.

<sup>13</sup> Menz, 2008, op. cit.

<sup>14</sup> Ibid. 12.

<sup>15</sup> Caviedes, 2010, op. cit. 14.

<sup>16</sup> Ibid. 2.

<sup>17</sup> Freeman, G. 'Modes of Immigration Politics in Liberal Democratic States'. *The International Migration Review*. 1995. 29(4). 881-902.

<sup>18</sup> See Joppke, C. 'Why Liberal States Accept Unwanted Immigration.' *World Politics*. 1998. 50(1). 266-293.

<sup>19</sup> Freeman, G. 'National Models, Policy Types and the Politics of Immigration in Liberal Democracies.' *Western European Politics*. 2006. 29(2). 227-247. 227.

<sup>20</sup> Ibid. 229-230.

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<sup>21</sup> See Freeman, 2006, op. cit. 230.

<sup>22</sup> Ibid. 229.

<sup>23</sup> Ibid. 241.

<sup>24</sup> Ibid. 248.

<sup>25</sup> Hansen, 2000, op. cit. 263.

<sup>26</sup> Caviedes, 2010, op. cit. 5 and Menz, 2008, op. cit. 10.

<sup>27</sup> Caviedes, 2010, op. cit. 24.

<sup>28</sup> Menz, 2008, op. cit. 153.

<sup>29</sup> Caviedes, 2010, op. cit. 103.

<sup>30</sup> Ibid. 110.

<sup>31</sup> Ibid. 111.

<sup>32</sup> Ibid. 113.

<sup>33</sup> Boswell, 2007, op. cit. 75.

<sup>34</sup> Joppke, C. 'Immigration Challenges the Nation-State'. In. ed. Joppke, C. Challenge to the Nation-State: Immigration in Western Europe and the United States. (Oxford: Oxford University Press, 1999). 18.

<sup>35</sup> Guiraudon, 2003, op. cit. 83.

<sup>36</sup> Ibid.

<sup>37</sup> Ibid. 263.

<sup>38</sup> Ibid. 264.

<sup>39</sup> Ibid. 268.

<sup>40</sup> Ibid. 268.

<sup>41</sup> Guiraudon, V. 'The Marshallian Triptych Reordered: The Role of Courts and Bureaucracies in Furthering Migrants' Social Rights.' In. eds. Vommes, M and Geddes, A. Immigration and Welfare: Challenging the Borders of the Welfare State. (London: Routledge, 2000). 83.

<sup>42</sup> Ibid. 86.

<sup>43</sup> Hansen, 2000, op. cit. vii.

<sup>44</sup> Ibid. vii-viii.

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- <sup>47</sup> Ibid. 279.
- <sup>48</sup> Ibid. 278.
- <sup>49</sup> Castles, S and Miller, M. *The Age of Migration*. (Hampshire: Palgrave, 2009).
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- <sup>51</sup> Ibid. 84.
- <sup>52</sup> Soroka, S and Wlezien, C. *Degrees of Democracy: Politics, Public Opinion, and Policy*. (Cambridge: Cambridge University Press, 2010). 1.
- <sup>53</sup> Ibid. 1-2.
- <sup>54</sup> Ibid. 22.
- <sup>55</sup> Ibid. 4.
- <sup>56</sup> Ibid. 41.
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- <sup>58</sup> Deutsch, K. *The Nerves of Government: Models of Political Communication and Control*. (New York: The Free Press, 1966). 88.
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- <sup>61</sup> Page, B and Shapiro, R. *The Rational Public: Fifty Years of Trends in Americans’ Policy Preferences*. (Chicago: University of Chicago Press, 1992).
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- <sup>71</sup> Ibid. 1156.
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- <sup>73</sup> Ibid. 219, 222.
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- <sup>80</sup> Studlar, 1978, op. cit. 56.
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- <sup>82</sup> Saggar, 2003, op. cit.
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- <sup>84</sup> See Duffy, B and Frere-Smith, T. 'Perceptions and Reality: Public Attitudes to Immigration'. Ipsos MORI [online] 2014 Accessed 1 February 2014. 22.
- <sup>85</sup> Saggar, 2003, op. cit. 185.
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- <sup>105</sup> Lahav, 1997, op. cit. 401.
- <sup>106</sup> Ibid. 401.
- <sup>107</sup> Hammar, T. 'The policy-making process'. In. ed. Hammar, T. *European Immigration Policy: A Comparative Study*. (Cambridge: Cambridge University Press, 1985). 277-291. 280.
- <sup>108</sup> Ibid. 280.
- <sup>109</sup> Schain, 2008, op. cit. 465.
- <sup>110</sup> Ibid. 465.
- <sup>111</sup> Ibid. 466.
- <sup>112</sup> Schain, 2008, op. cit. 466-7; Bale, 2008a op. cit. and Bale, 2008b, op. cit.
- <sup>113</sup> Schain, 2008, op. cit. 467.
- <sup>114</sup> Perlmutter, 1996, op. cit. 384, 377-8.
- <sup>115</sup> Ibid. 376.
- <sup>116</sup> Triadafilopoulos and Zaslove, 2006, op. cit. 189.
- <sup>117</sup> Ibid. 189.
- <sup>118</sup> Adams, J F, Merrill III, S, Grofman, B. *A Unified Theory of Party Competition*. (Cambridge: Cambridge University Press, 2005).
- <sup>119</sup> Triadafilopoulos and Zaslove, 2006, op. cit. 172.
- <sup>120</sup> Hansen, 2000, op. cit. 244.
- <sup>121</sup> Statham, P and Geddes, A. 'Elites and the "Organised Public": Who Drives British Immigration Politics and in Which Direction?' *West European Politics*. 2006. 29(2). 248-269. 266, 254.
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# Theoretical and Methodological Frameworks

This chapter introduces the theoretical and methodological frameworks which both underpin this research and help answer the research question: namely, what drives the development of the UK Conservative Party's immigration policy? This thesis takes on an interpretivist approach as a conceptual framework for analysis, and builds upon a synthesis of theories. There are four parts to this chapter.

First, the interpretivist approach is introduced. Interpretivism is taken here to mean that one's understanding of reality stems from a socially constructed world in which actors and institutions constitute each other, in which policy-making is a result of opposing views taking place within webs of meanings that are in continuous conflict. Second, the theoretical framework, which synthesises three theories from within political science and migration studies, is set out. Each of the theories is of direct relevance to the study of policy and policy-making, and more specifically, to policy *change*. Third, the three propositions, which have been derived from the theoretical synthesis, are then discussed. The propositions are examined in each of the empirical chapters in order to assess whether they can explain immigration policy change over time.

Finally, this chapter discusses the methodological framework of this thesis. This is a political-historical study, which makes use of historical methods. A mixed-method approach is considered the most appropriate for this work, given several practical considerations. The



chapter then presents the methods behind the research that has been undertaken, namely, semi-structured interviews with elites and document analysis of both archival sources and grey material. Within each section, there is discussion of the issues that have been encountered during the course of research, and details of how the author has attempted to limit any difficulties.

## **3.1 Conceptual framework**

### **3.1.1 Interpretivism**

While interpretivism has its roots in international relations and sociology, the interpretivist approach – and variants of it – can, and have, been used by innovative political scientists.<sup>1</sup> Interpretivism rejects the notion of fixed meanings of relationships; instead, individuals and organisations operate within socially constructed realities, in which ‘social facts’ are questioned and problematised.

Epistemologically speaking, the interpretivist approach is anti-foundationalist. Facts do not exist on their own; they ‘develop’ within a context of prior meanings, beliefs and theories. Thus, the concept of ‘given truths’, whether based on logic or experience can be rejected.<sup>2</sup> In ontological terms, as Alexander Wendt, a theorist of constructivism (one interpretivist approach) puts it, ‘material forces still matter and people are still intentional actors’.<sup>3</sup> Meaning is dependent on the shared notions in which agents and institutions are embedded.<sup>4</sup> Such an understanding elevates the notion of culture – environmental factors – which Wendt regards as ‘a condition of possibility for power and interest explanations.’<sup>5</sup>

The socially constructed world should be viewed as a by-product of opposing views taking place within webs of meanings that are in continuous conflict. It would be a mistake to regard concepts as permanent objects rather than unfixed and downright unstable concepts. For example, British citizenship has undergone great transformation – in intellectual work,

in legal terms and in popular culture – over the last 100 years, but even now, the concept can mean different things to different individuals in diverse environments.

In research, the approach emphasises the necessity of structures to agency, and agency to structures, while regarding both as mutable concepts to influence and respond to, not ‘reified objects’.<sup>6</sup> More specifically, agents owe their interests and identities to structures with which they must interact, while structures exist and develop through the ‘discursive practices’ or ‘reciprocal interaction’ of agents.<sup>7</sup> In summary, an interpretivist approach contains the assumption – and it is only an assumption – that ‘how people and states think and behave in world politics is premised on their understanding of the world around them’.<sup>8</sup> The crux is that individuals and institutions are self-reinforcing and self-producing; perceptions matter.

### 3.1.2 Relevance to research

Interpretivist research holds knowledge to be a more inter-connected concept than more traditional frameworks might allow for. The studying of political interventions and organisations as ‘atomised units’ which make sense on their own but which can be put together and studied as a coherent set, might be regarded by some interpretivist scholars as too rudimentary for the study of complex procedures or developments.<sup>9</sup> The non-interpretivist researcher might consider changes to immigration policy in a linear sense: there may be a ‘stimulus response’ approach (event X happens, which leads to event Y, and then event Z). By contrast, an interpretivist approach examines policy development as if it were a feedback loop of perceptions and prejudices, which work mutually and simultaneously.

This dissertation argues that history – and process – do matter. The interpretivist approach (with its emphasis on ‘historical process’) allows for the continuation of ‘an argument about how the past shapes the way actors understood their present situation’.<sup>10</sup> Of course,

decisions and events within the discipline of political science are seen as historically and socially contingent, but this in no way diminishes their importance. If anything, the interpretivist approach can ‘re-write’ and ‘re-tell’ history in distinctive and genuinely interesting ways. This thesis makes use of so-called thick description, which is often used by interpretivist scholars because it is one of the ‘best tools for constructing [...] [a] story of other people’s constructions of what they are doing’.<sup>11</sup>

### **3.2 Theoretical framework: hybrid**

Interpretivism is open to various disciplines, theories and methodologies; it can be a very open-ended framework. This dissertation refines the interpretivist approach further so that it is more relevant to the research. Thus, a hybrid theoretical framework – informed by three theories (or models) from within the political science and migration literature – is proposed. Each of the three is directly relevant to studies of policy, and more specifically, policy change. Though these three middle- to micro-range theories approach the subject from different perspectives, it is not inconceivable that they could work together coherently, and provide prompts or reference points during the research process. Two are situated within the political science wing (Gamble; Harmel and Janda) and one is from the migration studies field (Hollifield); it is expected that each of the three will provide a useful theoretical lens. In partnership with, and beyond, these theories, this thesis takes care to place politics ‘in time’ and to pay attention to the plurality of social processes, and the extent to which they show linkages across time, rather than disembodied ‘moments’ in history.<sup>12</sup>

## The ‘politics of power’ versus the ‘politics of support’

Gamble’s theory, broadly speaking, states that a political party must gather popular support – ‘the politics of support’ – in order to govern – ‘the politics of power’.<sup>13</sup> A party in opposition is subject to different forces from when it is in government; it is these influences which construct distinct dynamics. Blake argues that for the party in office ‘[p]roblems come up one after another and are solved – or not solved – by empirical criteria’.<sup>14</sup> The party in opposition, however, must ‘steer a tricky line between policy statements so clear that they give hostages to fortune or so vague that they offer no alternative at all’.<sup>15</sup> There is a difficult balance of forces at work: parties that regard themselves as vote-catching operations prepared to promise anything will, once they are in office and limited by the constraints of the existing state, sorely disappoint the electorate, at the very least.

In the context of this study, Gamble’s theory suggests that policy should be examined in segmented periods – when the Conservatives are in opposition and when the Conservatives are in government. With regard specifically to immigration policy, the theory would imply that the Party leadership in opposition makes policy according to what it perceives necessary to mobilise both grassroots and broader electoral support. However, by responding to the concerns of activists and voters (two distinct and at times – opposing – groups), policy may be hard-line, difficult to implement and inconsistent with the rest of the Party’s programme. Once in government, the Party’s immigration policy is more moderate because the Party reacts to interventions from the civil service, the judiciary and lobby groups by toning down the rhetoric and modifying policy. If Gamble’s theory does apply to this case study, this generates more questions. Do the Conservatives know at the time policy is being developed that they cannot deliver on their promises? If so, does the Party anticipate issues in the course of policy implementation and does it plan for compromise? If this is not the case, why do the Conservatives not realise that they cannot deliver?

## The drivers of (policy) change in political parties

In their work on political parties, Harmel and Janda also observe that the government/opposition dimension can be a driver of party change, but they propose other factors too. Their work on change within political parties can (and has) been used to look more specifically at policy change within parties.<sup>16</sup> Given the widespread agreement that change must be driven by something, it makes sense to focus on the impetus. The most commonly cited independent variables or ‘drivers’ of change, largely derived from the framework elaborated by Harmel and Janda and their co-authors, are first, external shock (essentially, electoral defeat or loss of office); second, a change of leader; and, third, a change in the dominant faction (or coalition) that, to a greater or lesser extent, runs the party in question.<sup>17</sup>

The perception of electoral defeat (and hence, the impetus for policy change) may be much greater – or more heavily felt – in a party which has narrowly lost an election than in a party which has suffered a severe defeat. Indeed, recent work has found that, for the Conservatives a severe defeat (in terms of vote share and seats lost) may not necessarily result in more significant immigration policy change than a minor defeat.<sup>18</sup> Investigating the impact of these drivers of change (in whatever combination) on Conservative Party migration policy allows for examination of the theoretical synthesis, at least as it touches on policy, and – if necessary – discussing drivers that it may have previously underplayed or missed completely. This thesis will build upon Harmel and Janda’s framework in order to focus specifically on how political leaders perceive these factors, rather than provide a simple explanation based on these factors.

## The ‘gap hypothesis’ in policy preferences

First observed by Hollifield, the ‘gap hypothesis’ refers to the supposed gap between the objectives and the outcomes of immigration policy.<sup>19</sup> This can partly be explained by the tension between elites’ rhetorical commitment to immigration control and the reality of continued immigration. In short, while elites push for and put in place immigration policies which are liberal and expansionist, the general public prefer policies which are more restrictive. While preferences are not the same as policy, it is the case that preferences can, and are, developed into policy proposals. Critics might well argue that the ‘gap hypothesis’ is no longer relevant. Certainly, in the 30 years since Hollifield published his text, the Conservative Party’s immigration policy could not be described as liberal or expansionist. It could also be said that there has been some degree of convergence in the immigration policy preferences of those governing and those who are governed. However, a general move in favour of more restrictionist policies does not mean that there is not a tension, between the elites and the electorate.

During the 70 year period in question, the Conservative Party’s leaders had different views about whether the Party needed to be in accord with the electorate on immigration. However, political parties which try to follow public opinion in order to produce policies that win votes at the ballot box should be cautious. The ‘production’ of public opinion is revealed in studies which show survey answers to be dependent on how questions are phrased. Research by the IPPR on public opinion towards asylum seekers has found that answers were heavily dependent on how the issues were framed.<sup>20</sup> Some researchers find that there is not much of a difference between elites and ordinary people in terms of opinions on immigration.<sup>21</sup> While it is difficult to deny the existence of some differences, divergence may be down to how such attitudes are portrayed.

### 3.2 The working propositions

Three propositions can be derived from the theoretical framework as a means of explaining the development of the Conservative Party's immigration policy.

- P1 In power, the Conservative Party's policies have restricted levels of immigration and asylum to a lesser extent than it has promised when in opposition. The status of the Party – that is, whether it is in government or in opposition – is compounded by the domestic and international context in which it operates, and which impacts on policy.
  
- P2 The Party's immigration policies are dependent on:
  - a. The Party's fear of electoral defeat
  
  - b. The different leaders of the Party
  
  - c. The management of the Party; the extent to which the different factions leading – or aspiring to lead – the Party can be controlled
  
- P3 The Conservative Party's policies respond to a long-standing tension, which is the result of a widening gap between elites and the general public on the immigration issue.

In the course of research, it became apparent that, while each of the three propositions is useful, there is some overlap between two of them. Namely, the third proposition, which holds that the Conservative Party is aware of, and driven by, a wish to close the gap between immigration policy goals and outcomes, is in fact, already covered. My second proposition contends that immigration policy development is driven partly by electoral motivations, that is, a need to win votes. This dissertation explores each of the propositions, but, to avoid repetition given the overlap, analysis of the third proposition is included in the second.

### **3.3 Research methodology and methods**

This section sets out the methodological framework that is used in this project. First, it summarises the multi-method approach and explains the rationale behind using several methodologies. Second, it presents the three main sources of information, namely: elite, semi-structured interviews; and document analysis on, respectively, archive material and grey literature. Details are given of how the methods were implemented along with the techniques that were used. In each section, issues relating to the use of, and methods involving, the data source in question are conveyed.

#### **3.3.1 Methodology**

This thesis is a political-historical study that makes use of historical methods, with reliability improved through corroboration of sources. A multi-method approach was used in order to exploit the strengths and reduce the weaknesses of various individual methods. The intention was to find, and develop, explanatory factors which are not always immediately apparent. It was expected that such a method would, through systematic analysis of documents, be appropriate for dealing with the processes of policy-making; for example, it would enable clearer identification of the processes behind decisions and the causal mechanisms in policy. More specifically, the approach to documents (including transcripts of interviews conducted specifically for this project, and those documents already available, such as grey material and archive sources) followed that of document analysis, which is a synthesis of historiography and discourse analysis. Historiography is the ‘writing of history based on a selective, critical reading of sources that synthesizes particular bits of information into a narrative description or analysis of a subject’.<sup>22</sup>



### 3.3.2 Method

#### **Semi-structured interviews**

This dissertation makes extensive use of the semi-structured interview as a data collection tool. The method enabled a reconstruction of the making of immigration policy, as told to the author by key actors, such as politicians, senior civil servants and migration scholars. The interview is a complex tool, practice or even philosophy in itself. Fontana and Frey say that traditionally, the researcher has seen the interview as an ‘informal conversation’ with the interviewee.<sup>23</sup> The better interviews acknowledge their flaws, are reflective and open about the process. The epistemological question has a bearing on this. Kvale says that ‘a miner [or excavating] approach will tend to regard interviews as a site of data collection separated from the later data analysis’ while ‘a traveller conception leads to interviewing and analysis with an emphasis on the narrative to be told to an audience’.<sup>24</sup>

The 28 interviews conducted for this research (see List of Interviewees in Appendix) led to a better understanding of the processes and the personal or collective philosophies that have shaped immigration policy across the period. The material gathered from interviews was not intended to provide a window into reality – if that were even possible – but to provide a range of perspectives on, and perceptions of, immigration and policy-making. While interviews did provide in-depth contextual information to factual events, of greater significance was the disclosure of the interpretations, understandings, and motives of the interviewees. Interviews also allowed for the pursuit of unforeseen lines of inquiry.<sup>25</sup> The interviews were used to help identify (more clearly) who held power and who influenced decisions within a multi-actor model, meaning the individuals and organisations both within and outside the Conservative Party. In order to guard against the inevitable bias which interviewees offer, the data was corroborated by triangulation against documents and a wide sample of interviewees.

The importance of interviews with elites to this research is partly based on practical considerations. As the research covers a relatively recent period (the post-war decades, that is, 1945 to 2015), it was expected that the work might be hindered by the need for reliance

on methods other than analysing ‘released’ government documents, which are only put into the public domain after a set period. Having said that, the period in question has recently been reduced to 20 years, from 30 years, and will be phased in over the next decade.<sup>26</sup>

Strategic sampling was used in order to identify those who might be potential interviewees. A list was produced based on those with influence and experience of the issue under research. It was expected that access to elite participants, namely politicians and policy-makers, would be a problem. Some potential participants may see interviews as a possible threat to their own or their organisation’s reputation, some may simply be too busy. Others may have misgivings about what they will gain from being interviewed, and some organisations (such as the civil service) may have policies against on-the-record interviews for fear of bringing their impartiality or reputation into question. Given that it is usually easier to obtain interviews with politicians when their party is in opposition, or they have left power, it was something of an impediment for this thesis that the Conservatives were in government during the course of this research.

One means of gaining access was to use the networks of contacts of previous participants in the research, but this was not without its problems. Each interviewee was asked if they could suggest colleagues or contacts who may be able to assist with the research. While this was generally a successful practice, as it confers trust and respectability on the researcher, it has serious implications. Divulging the names of other interviewees would not only reveal identities; to do so could breach confidentiality and even disseminate private information. Some interviewees made suggestions, but asked the author not to disclose their names for fear it might prejudice their contact. Those interviewed were current and past policy-makers (including former Secretaries of State and ministers), prominent backbenchers, current and former senior civil servants, retired Conservative Research Department staff, as well as academic experts in the field of British immigration policy.

It was understood that the format of the interview (the structure and how issues are framed) would strongly impact on the research because, from an epistemological perspective, it is questionable what format is the ‘best’ way of producing knowledge. Kvale says that

‘presupposing that knowledge emerges from a collection of given data will naturally lead to a view of leading questions as a bias in qualitative interviewing [which is] detrimental to the process of acquiring objective knowledge’.<sup>27</sup> And yet, for a researcher who thinks that ‘knowledge is socially constructed [it] can lead to a view of leading questions as one way of inquiring into the strength and justifiability of a subject’s beliefs, perhaps even yielding another form of objectivity in the sense of provoking the object to object’.<sup>28</sup>

Bearing in mind such issues, interviews were conducted with participants in their offices or in public places, that is, in spaces in which they were likely to feel comfortable and confident. The interviews were semi-structured and loosely based on a list of suitable questions (some interviewees asked to see these in advance). Most interviews were conducted face-to-face, and a few were undertaken by telephone, and a further few by email. Time was also spent researching each interviewee’s career and public statements so as to allow for a more productive interview. Interviews were, where possible, audio recorded, transcribed and coded according to themes that became apparent during the course of the research. It was important that the structure was flexible because the author had to be able to quickly adapt if the situation changed, as happened several times. Many of the interviewees were under time constraints which meant sudden changes to a schedule. The format was also flexible to allow the author to continually revise her assumptions. It was necessary to consider whether the view was consistent with interpretation and, if not, to amend it. Rosenblatt refers to an unstable, metaphorically physical process: ‘I try out my interpretations on the people I interview, I push as I interview for more information consistent and inconsistent with my changing interpretations’.<sup>29</sup>

### **Grey material/ document analysis**

This thesis makes use of document analysis of ‘grey material’ in order to reconstruct the processes of policy-making. The term ‘grey material’ includes government documents (white papers, green papers, commissioned research evidence, consultation papers, press releases and transcripts of speeches) and non-government documents (official responses to policy

from interest groups, publications from such interest groups, speeches by experts, Hansard transcripts, technical reports). The material may be published in print and electronic formats, but it is not controlled by commercial publishers as per the 'Luxembourg definition' of grey literature. Such material is highly valued by researchers given it is often original documentation and relatively recent.

Grey material is critical to the project as it has not only allowed for the production of a 'timeline' of immigration policy, based on the documents from before, during and after policy production and implementation, but it has also provided what could be a more nuanced look at the role of ideas in policy formation. In looking at the 'debris' related to the Conservative Party and the development of immigration policy, the intention was to bring to the fore those influences behind policy formation which may not normally be noted in histories of the Party. Examination of the documents has enabled greater understanding of the power struggles between, and among, individuals, interest groups and institutions with an interest in immigration policy.

The process of analysing grey material focused on key terms, legislation and events during the period in question. Of a variety of information sources, the most extensively referred to sources are the publications of the Conservative Party (such as its general election manifestos) and the transcripts of speeches by politicians. The material was located both online (on organisations' websites) and in hard copy (within organisations' archives and within individuals' private effects). Efforts were concentrated on significant ministries and agencies within government (UK Border Agency, Home Office, Foreign and Commonwealth Office, Treasury) as well as non-governmental organisations (employers' bodies such as the CBI and IoD, trade unions within and outside the TUC such as Unison and the TGWU, respected think-tanks, such as the IPPR and Demos, Migration Watch, parliamentary committees, and also groups of experts, such as the Westminster Forum.

However, as this author notes, research which uses grey material is not without its problems. Such material is often very difficult to obtain through conventional means due to the fact that it is not published commercially nor generally promoted to researchers. Ignorance of the

existence of such material, and inaccessibility, were therefore major concerns. Furthermore, as grey material may have few users, and does not generate profit, there may be little incentive for organisations to properly maintain and catalogue such material. This may make research more difficult, as basic details may be hard to obtain, and there may be inconsistencies regarding the storing of documents. As this author found, documents may not be available in full, may have been scanned improperly or there may be ‘broken’ online links. Less concretely perhaps, any research which uses documentary sources must acknowledge they are not neutral sources.<sup>30</sup> Finnegan is more specific – ‘when analysing policy statements it may be difficult to differentiate between how far the policy presents normative propaganda or an actual guiding principle for practice’.<sup>31</sup> There is never a full and definitive account: it is always a matter of judgement or interpretation.

### **Archive material/ document analysis**

This thesis also uses document analysis to examine archive material in order to better understand the opinions, debates and conflicts of the time. The centrality of archive material to the research project stemmed from a wish to use original sources to form an evidence-based history of immigration policy development as well as providing material for ‘thick-descriptive’ work, which is lacking in this field. Archive material refers mainly to documents that are produced in the conduct of affairs and broadly centred around a theme (for example, migrants’ experiences of settling within the UK) or organisation (such as the Conservative Party).

Archives were used to examine how events and policies are constructed within the interconnected political machinery of party, press and interest groups. Analysis of such material provided a means to track the developing importance of the immigration issue over time, as responsibility for immigration policy was transferred from different departments, put out for consultation and chewed over by focus groups. For example, the direction of policy was, at times, fought over by Conservative Party officials and party activists putting forward conference motions regarding how tough the Party should be on the issue.

The archive material studied included minutes of meetings, notes, papers, photographs, letters, policy proposals and strategies. Government sources were found at the National Archives in Kew, London. It should be noted, however, that sources were only available up to the mid-1980s, as they are restricted after this date due to the 30 years' disclosure rule. Of particular use were the Cabinet Paper archives, especially the sections on Empire, Commonwealth and De-colonisation, and the Home Office collection, with sections on Aliens and Immigration, Denization and Naturalisation, Community Relations. The author also examined documents from those departments most relevant to immigration, citizenship and asylum, namely the Foreign and Commonwealth Office and the Treasury. Non-government sources were mainly found within the Conservative Party archives, located at the Bodleian Library, Oxford. The Thatcher Archives, much of which is online now via the Thatcher Foundation, with the entirety being stored at Churchill College, Cambridge, were used too. The analysis of archive material was very similar to that used on grey literature, with a focus employed on key words, legislation and related events in order to construct a narrative of the period in question.

Primary archive material was complemented by thousands of media articles from 1945 to 2015, which were found using relevant keywords on Nexis, the online database of news sources. The sources used were mainly UK national newspapers, with the remainder being local papers and occasionally international news sources (mainly from India or Pakistan). Of great use to this thesis too were the dozens of memoirs by former British politicians from across the political spectrum, from those who held the Conservative leadership to those who were ministers or backbenchers with an interest in immigration. Academic literature on the history of the Conservative Party was a source of context too.

The heavy reliance of this thesis on archive material raised a number of questions. As with research on grey literature, there were concerns over selectivity. Why are some documents kept and others destroyed? Some say 'selective preservation is a particularly important consideration in archival research'.<sup>32</sup> There could be a certain path dependency at work: if only material which constructs an issue in a certain way is retained, and this material points to other sources which corroborate this approach, to what extent is such resulting research

systematic and evidence-driven? Some scholars claim that archives have been constructed specifically for a reason: Harvey Brown and Davis-Brown say archives are ‘manufacturers of memory’.<sup>33</sup> Other concerns relate to situations in which material contradicts other material. What should be disregarded? Whose ‘truth’ is it anyway? Is the researcher doomed to cognitive dissonance or doublethink? How many sources are enough to make something reliable? More practically, research using archive work is often set back by delays: it took time to receive accreditation, gain membership, and travel to the physical archives, at which, occasionally, documents had been misplaced or were poorly organised. Extra time was put aside to deal with such instances.

### **3.4 Conclusion**

This chapter has introduced the theoretical and methodological frameworks that underpin the research in question. This thesis is a political-historical study which seeks to explain the development of Conservative Party immigration policy in a critical and thoughtful way. The research is founded on a theoretical framework that is derived from existing models from within both political science and migration studies. This framework has allowed for the research question to be further developed in order to generate three propositions which this thesis will consider. Finally, this section has discussed the mixed method approach which has allowed for the collection of data using semi-structured, elite interviews and document analysis of both archival sources and grey material, as well as memoirs and media sources.

## Notes

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- <sup>1</sup> See Deutsch, K. *The Nerves of Government: Models of Political Communication and Control*. (New York: The Free Press, 1966). 88. and Haas, E. *Beyond the National State*. (Stanford: Stanford University, 1964). and Haas, E. *When Knowledge is Power: Three Models of Change in International Organisations*. (Berkeley: University of California Press, 1990). and Bevir, M. *The Logic of the History of Ideas*. (Cambridge: Cambridge University Press, 1999).
- <sup>2</sup> Bevir, M and Rhodes, R A W. *Interpreting British Governance*. (London: Routledge, 2003). 13.
- <sup>3</sup> Wendt, A. *Social Theory of International Politics*. (Cambridge: Cambridge University Press, 1999). 193.
- <sup>4</sup> Ibid. 193.
- <sup>5</sup> Ibid. 193.
- <sup>6</sup> Ibid. 3.
- <sup>7</sup> Ibid. 3.
- <sup>8</sup> Ibid. 312-313.
- <sup>9</sup> Bevir and Rhodes, 2003, op. cit. 3.
- <sup>10</sup> Copeland, D. 'The Constructivist Challenge to Structural Realism: A Review Essay.' *International Security*. 2000. 25(2). 187-212. 210.
- <sup>11</sup> Bevir and Rhodes, 2003, op. cit. 6.
- <sup>12</sup> Pierson, P. *Politics in Time: History, Institutions, and Social Analysis*. (Princeton: Princeton University Press, 2004).
- <sup>13</sup> Gamble, A. *The Conservative Nation*. (London: Routledge & Kegan Paul, 1974). See also Gamble, A. *The Free Economy and the Strong State*. (Hampshire: Palgrave, 1994).
- <sup>14</sup> Blake, R. *The Conservative Party from Peel to Major*. (London: Faber and Faber, 2011). 257.
- <sup>15</sup> Ibid. 258.
- <sup>16</sup> See Bale, T. *The Conservatives since 1945: The Drivers of Party Change*. (Oxford: Oxford University Press, 2012). 13.
- <sup>17</sup> See Harmel, R and Janda, K. 'An integrated theory of party goals and party change.' *Journal of Theoretical Politics*. 1994. 63(3). 259-87. and Harmel, R, Heo, U, Tan, A and Janda, K. 'Performance, leadership, factions and party change: an empirical analysis.' *West European Politics*. 1995. 18(1). 1-33. and Harmel, R and Tan, A. 'Party actors and party change: does factional dominance matter?' *European Journal of Political Research*. 2003. 52. 409-424.



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- <sup>18</sup> See Partos, R and Bale, T. 'Immigration and asylum policy under Cameron's Conservatives.' *British Politics*. 2015. 10(2). 169-184.
- <sup>19</sup> Hollifield, J. 'Immigration Policy in France and Germany. Outputs vs Outcomes'. *The Annals*. 1986. 485. 113-128.
- <sup>20</sup> Lewis, M. 'Asylum: Understanding Public Attitudes'. IPPR. 30 June 2005. ISBN: 1860302734.
- <sup>21</sup> Lahav, G. 'Public Opinion Toward Immigration in the European Union: Does it Matter?' *Comparative Political Studies*. 2004. 37(10). 1151-1183. 1176-1177.
- <sup>22</sup> Thies, C. 'A Pragmatic Guide to Qualitative Historical Analysis in the Study of International Relations.' *International Studies Perspectives*. 2002. 3(4). 351-372. 351.
- <sup>23</sup> Fontana, A and Frey, J H. 'The Interview: From Neutral Stance to Political Involvement.' In. eds. Denzin, N K and Lincoln, Y S. *The Sage Handbook of Qualitative Research*. (Thousand Oaks, California: SAGE, 2005). 712.
- <sup>24</sup> Kvale, S. *Doing Interviews*. (London: SAGE, 2008). 20.
- <sup>25</sup> Grix, J. *Demystifying Postgraduate Research*. (Birmingham: University of Birmingham Press, 2001). 76.
- <sup>26</sup> See 2010. 'Secret papers 30-year rule reduced to 20'. BBC News [online] Available at <http://bbc.in/9rR2OI> [accessed 1 June 2012].
- <sup>27</sup> Kvale, 2008, op. cit. 301.
- <sup>28</sup> Ibid. 301.
- <sup>29</sup> Rosenblatt, P C. 'Interviewing at the Border of Fact and Fiction'. In eds. Gubrium, J F and Holstein, J A. *Handbook of Interview Research*. (London: Routledge, 2001). 893-910. 897.
- <sup>30</sup> Harrison, L. 'Employing historical and archival resources in political research.' *Political Research: An Introduction*. (London: Routledge, 2001). 124.
- <sup>31</sup> Finnegan, R. 'Using documents.' In eds. Sapsford, R and Jupp, V. *Data Collection and Analysis*. (London: SAGE, 1996). 148.
- <sup>32</sup> Harvey Brown, R and Davis-Brown, B. 'The making of memory: the politics of archives, libraries and museums in the construction of national consciousness.' *History of the Human Sciences*. 1998: 11(4). 17-32. 22.
- <sup>33</sup> Ibid. 22.

## 1945 to 1964

It would probably be impossible to find [...] time for legislation on this subject.<sup>1</sup>

– Alan Lennox-Boyd

This chapter examines the development of the Conservative Party's immigration policy from 1945 to 1964, during the period of post-war reconstruction in the UK and the decolonisation of the British Empire. It will first consider the more important changes in the Tories' approach to immigration. It will then explain the Party's policy-making using the theoretical framework expanded on previously. Over six general elections and under four different leaders, the Party became gradually concerned by the immigration issue, sought to do something about it, commissioned committees and reports, resolved to let the matter stand, and then, finally, brought in legislation to limit the numbers. In 1955, the Home Secretary told Cabinet that it would be 'necessary to pass some legislation sooner or later'.<sup>2</sup> It was not until 1962 that migration controls were brought in. By the end of this parliament, the Conservative government had brought in – for the first time – controls on citizens from the Commonwealth. Over a period of 19 years, British immigration laws were transformed from some of the most liberal in the world to some of the most restrictive.

During the immediate post-war period, Conservative Party policy on immigration was non-existent. There was no need for policy: the number of migrants entering the UK was close to insignificant. Efforts made by the Labour government to encourage Commonwealth citizens to fill labour shortages in Britain went unopposed by the Tories. The passing of the 1948 British Nationality Act, then viewed as something of a technicality, and now seen as opening

up settlement in the UK to some 600 million people, received no objections from the Conservative Party. The Tory leadership did not expect that the Act would facilitate immigration from the Commonwealth. When the arrival of the Empire Windrush ship in 1948 with its 492 (mostly) Jamaican immigrants aboard proved not to be an exception but the precursor to a new wave of immigration, the Conservatives began to debate the matter. Discussions were initiated, but they were often incoherent, with the deliberations embodying ‘contradictory preferences and confused thinking’.<sup>3</sup> The emphasis was on limiting the immigration of black and Asian migrants from former colonies, and not their white fellow Commonwealth citizens, a distinction which some Conservative ministers found disquieting.<sup>4</sup>

Throughout the late 1940s and 1950s, the Conservative Party considered how – if at all – to best control immigration to the UK. Intervention was repeatedly delayed on the grounds that immigration was inextricably linked with economic, social and even moral arguments. Post-war, Britain was in dire need of labour for economic recovery – reconstruction was the national priority.<sup>5</sup> The UK needed workers for the newly set-up National Health Service, the NHS, as well as its public transport system and Post Office. However, there were concerns about the muddying of the English character if black and Asian citizens were allowed to settle in the UK, as well as fears about migrants importing crime and violence into the country.<sup>6</sup> Some Conservative figures worried about the impact on public services, from housing, in particular, to healthcare and transport.<sup>7</sup> Less concretely, though no less important, was the substantial emotional attachment that many within the Conservative Party felt towards the former Empire. For many Tory politicians, the UK had a moral duty to care for, and maintain links with, the citizens of the Commonwealth.

The most dramatic change to the Conservative Party’s approach to immigration during the next few decades was its gradual support for legislation to control the number of migrants entering the UK. Less formal measures, such as administrative rules which attempted to discourage travel to – and settlement in – the UK, fell out of favour when the context changed. The immigration figures increased from a very low base, and some half a million black and Asian people entered the UK during the 1950s.<sup>8</sup> As the UK recovered, the economic

argument that migrants were needed to fill labour shortages became less relevant. Some Tory MPs received word from constituents of local difficulties that were purportedly caused by immigrants. Controlling the level of migration soon became a pressing issue.

However, to claim that the Conservatives merely responded to a changing context would be to ignore a subtle shift within the composition of the Party. The self-avowed liberals and moderates – the Edens and the Lennox-Boyd – made way for politicians who were less resistant to bringing in restrictions on Commonwealth citizens. They did not believe that the UK needed to maintain a role as protector of the former Empire, and nor did they have moral qualms about undermining the promises of former British governments to allow immigration from the Commonwealth. Many of them believed that the UK's future would be best served forging stronger ties with Europe. In 1960, the UK founded the European Free Trade Association (EFTA); in 1961, it applied to join the European Economic Community (EEC). Maintaining freedom of movement for the citizens of the former colonies was not a priority for the 1960s Conservative Party.

The Conservatives did not consider the immigration issue to be so important as to demand immediate action until the final parliament of this period. Instead, the leadership allowed the issue to drift, until the time seemed right to return to it. Churchill was making plans to legislate as early as the mid-1950s, yet his ministers resolved to put the issue aside until after the forthcoming general election, so they could better concentrate on the campaign. After the 1958 riots against ethnic minorities in Nottingham and Notting Hill, the Tories once again began considering controls on immigration. Months later, ministers decided that immigration was no longer a public concern and policy-making was suspended. When the Conservatives did finally conclude that administrative controls were no longer effective and legislation would be necessary, they were fortunate that the context had changed. By 1961, the electorate's somewhat sentimental support for the Commonwealth had declined.<sup>9</sup> Opposition to restrictive measures was much less extensive than it had been just ten or so years previously. In a diary entry from January 1962, Macmillan mused that '[o]ne of the strange results of an outbreak of smallpox, traced to Pakistani immigrants, has been to make the ordinary people more in favour than ever of the Immigration Bill...'.<sup>10</sup>

## 4.1 The development of Conservative immigration policy

### 1945 to 1951

Within months of the end of the Second World War in Europe, the first general election in a decade was held – and the Conservative Party was badly defeated. On 5 July 1945, the Tories lost nearly 200 seats on a swing of 12 per cent. The result was ‘all the more shocking because it was so unexpected’.<sup>11</sup> The Conservatives had not been in opposition for nearly 15 years. During the post-war period, the Tories were bitterly disappointed by their electoral defeat and uncertain as to how to conduct themselves. The Party pursued a path which had more in common with the ‘politics of power’ reminiscent of a party in office.

Unfortunately for the Conservatives, their move to the opposition benches was a rough transition. This was not only because ‘defeat gives a lot of people much annoyance and much time on their hands’.<sup>12</sup> As opposition leader, the war-time Prime Minister Winston Churchill established a ‘Leader’s Consultative Committee’ (LCC) – in effect, a shadow cabinet – but the group could not match the discipline and structure which the civil service had provided to the Conservative Party when it had been in government.

The weaknesses of the LCC greatly impacted on its ability to prioritise and develop Conservative policy. The group had no real demarcation of responsibilities; discussion was reactive, with conversation on policy matters as much about its presentation and timing of its release than about its content.<sup>13</sup> There was no secretary to keep minutes and the membership of the Shadow Cabinet was – by Churchill’s order – to remain secret.<sup>14</sup> Nor were shadow ministers able to rely on the Conservative Parliamentary Secretariat (which later merged into the Conservative Research Department): it had been neglected during the war, reduced to a ‘ghost ship’ of two men and two secretaries.<sup>15</sup>

Immigration was of next to no concern to the Conservative Party during this parliament. In the immediate post-war years, the flow of migrants into the UK was relatively low and there were few signs that immigration would, within a decade or so, become an issue of national

importance. As a result, there was not much in the way of Conservative policy on immigration, official or otherwise. Tory politicians gave little serious thought to the issue. The Conservatives did not object when the Labour government introduced legislation that would have profound implications in this area. The 1948 British Nationality Act bound together 'subjecthood' and citizenship. This was no attempt to facilitate mass migration. It was, in fact, a response to Canada's amendment of the basis on which it defined imperial nationality. The UK government responded with 'the restitution of a common status for British subjects following Canada's wrecking initiative', by bringing on the statute books legislation 'designed to retain the privileges that had accrued to British subjecthood'.<sup>16</sup> The Irish, who had been free to enter the UK since the 1800 Act of Union had incorporated Ireland into the UK – a right which had continued despite Ireland's gaining independence in 1922 and its exit from the Commonwealth in 1947 – would be 'neither British subjects nor aliens but Irish citizens with all the rights of British subjecthood'.<sup>17</sup>

Despite the fact that that British Nationality Act opened up settlement in the UK to more than 600 million people, the Tories did not, in their role as the official opposition, criticise the legislation. In fact, there was next to no discussion on the issue, in part, because of a parliamentary consensus on the purpose of the legislation, which was, then, a technicality.<sup>18</sup> Neither politicians nor civil servants expected the Act to facilitate migration into the UK.<sup>19</sup> The 'possibility [...] does not seem to have been considered at length'.<sup>20</sup> This was not entirely misguided: nobody expected the UK to experience major migration from the non-white colonial regions.<sup>21</sup> Indeed, the explanation lies in the context; for most policy-makers, recalling pre-war conditions, migration operated in the opposite way, with people travelling 'from a Britain blighted by economic stagnation and high unemployment to the Imperial colonies' and not the other way round.<sup>22</sup>

While the Conservative Party did not profess any interest in the migration issue at the time, it was developing its research and opinion polling wing. In 1948, Conservative Central Office established its Public Opinion Research Department (PORD). Leading the department was Dudley Clark, who hoped to make use of polling to guide the Party's strategy as well as to gain a greater understanding of 'the voting behaviour of the electorate'.<sup>23</sup> From January 1949

onwards, the department produced a monthly public opinion report, which was distributed to key figures within the Party as well as MPs, agents and candidates.<sup>24</sup> When, despite efforts to better understand – and respond to – the public mood, the Conservatives were not returned to office in the election of 1950, the Research Department tasked itself with ‘find[ing] and exploit[ing] a crucial vote-catching issue’, immigration did not make the shortlist.<sup>25</sup> In fact, during the brief interlude between the elections of 1950 and 1951, the Conservatives made no significant changes to their policy offering.<sup>26</sup>

## 1951 to 1955

The 1951 general election, which Labour had called in a bid to build upon its slender majority of the previous year, rewarded the Conservatives with 321 seats, a gain of 22. The Tories were back in office, despite receiving, at 48 per cent, just a fraction *less* of the vote share than Labour, which won fewer seats. After the disastrous results of 1945 and 1950, this was something of a turnaround for the Conservatives. It was a testament to the Party’s ‘ability to subordinate all other considerations to the pursuit of office’.<sup>27</sup> The Conservative Party had only been perceived as a viable government in the previous year or two, following a series of strategic changes.

In the run-up to the election, senior figures had made efforts to revise the Party’s electoral offerings and shore up parliamentary morale.<sup>28</sup> Members of what was then effectively the Shadow Cabinet had grown frustrated by Winston Churchill’s approach to the leadership of the Party. The documents of the LCC ‘do not give the impression of a body either capable of, or responsible for, providing strategic direction’.<sup>29</sup> Harold Macmillan, together with Lord Woolton, had unsuccessfully attempted to persuade Churchill in 1948 to create a more functional and smaller committee for coordinating policy. It was only after the election of 1950, in which the Tories had very nearly won office that Churchill, sensing a return to government, had relented and allowed for the establishment of a more functional group.<sup>30</sup>

While levels of immigration were beginning to rise following the passing of the British Nationality Act in 1948, the matter was of no immediate concern to the Conservative Party. While some 64 per cent of Conservative parliamentary candidates had made addresses which touched on 'The Commonwealth and Empire', immigration from such places was not an election issue.<sup>31</sup> In fact, the issue of migration was first touched on by Churchill's government in 1952, when he inquired about the Post Office's employment of 'coloured' workers.<sup>32</sup>

While the Conservative Party in government made no attempt to develop a policy on immigration, this is not to say that politicians were not opposed to increasing immigration levels. Policy-makers and civil servants of the time were 'not enthusiastic about non-white migration, and many of them [...] wished to see it restricted'.<sup>33</sup> Despite this, the Conservatives did not make plans to legislate. They saw no need to mobilise on the issue when the number of non-white migrants entering the UK remained quite low.

Although the leadership of the Party maintained a near silence, a handful of Conservative backbenchers and parliamentary candidates emphasised the issue. A memo from Home Secretary David Maxwell Fyfe to Cabinet in March 1954 revealed that 'the continued immigration of coloured Colonials has received some public attention' and that '[c]omplaints are becoming more frequent'.<sup>34</sup> While public opinion was slowly moving in favour of restrictions on migration, the lack of legislation on immigration in the mid-1950s reflected, in part, a 'lack of clear public support for controls, and opposition among liberal opinion'.<sup>35</sup> Churchill himself ended one Cabinet discussion in February 1954 with the argument that it 'might well be true that the problem has not yet assumed sufficient proportions to enable the government to take adequate counter-measures'.<sup>36</sup>

During 1954, Conservative ministers (prompted by the then Labour MP for Swindon) considered setting up a committee or inquiry to investigate the facts of the matter and propose solutions to the immigration issue. Maxwell Fyfe expressed concern that, if no committee was set up, it 'would not, of course, satisfy those Members [of Parliament] who feel that *some action ought to be taken*' (my italics).<sup>37</sup> However, in the end, the Home Secretary



concluded that there was no need to establish a committee, on the grounds that ‘the question is not yet sufficiently acute’.<sup>38</sup>

Just six months later, there was a ‘renewed interest in migration control’.<sup>39</sup> At a Cabinet meeting in late November 1954, the new Home Secretary Gwilym Lloyd George informed his colleagues that the situation was now quite different. No longer should Cabinet be considering, as it had earlier that year, merely bringing in powers to deport British subjects who had committed a criminal act or were dependent on public funds – instead ‘power should be taken to control the entry of British subjects into this country’.<sup>40</sup> The cause for alarm, he believed, was down to a great increase in immigration, with the UK likely to receive some 10,000 people from the West Indies alone in 1954, compared to just 2,200 the previous year.<sup>41</sup> This, he believed, was enough to justify the setting up of a committee without delay. Layton-Henry believes it is ‘extraordinary’ that immigration controls were considered to prevent the entry of a few thousand people who were British subjects at a time when Irish immigration to the UK was numbering some 60,000 a year.<sup>42</sup>

With the UK receiving unprecedented (even if, by modern stands, very low) levels of black and Asian immigration from Commonwealth countries, the Conservative Party came under pressure to deliver a plan to control the numbers. Ministers were under pressure from their own supporters too, with Conservative backbenchers making approaches to junior ministers to express their concern that immigration was causing difficulties for their constituents.<sup>43</sup> By November 1954, the rate of immigration from the West Indies was referred to in a Cabinet meeting as a ‘matter of some urgency’.<sup>44</sup> Churchill had come to the conclusion that unrestricted Commonwealth immigration could not continue, and he instructed his colleagues to make plans for the drafting of legislation.<sup>45</sup>

There was now emerging a visible divide between much of the Conservative Party (with the exception of its leader) and the general public. During one Cabinet meeting in December 1954, ministers acknowledged that there was a ‘*surprisingly* wide body of opinion in favour of immediate action’ on immigration (my italics).<sup>46</sup> In early 1955, Churchill is said to have remarked to Ian Gilmour that immigration was ‘the most important subject facing this

country, but I can not get any of my ministers to take any notice'.<sup>47</sup> Gilmour recalls that 'most Ministers remained complacent, while their supporters were growing restive'.<sup>48</sup>

The decision to set up a committee to look at the immigration issue was not a foregone conclusion. Some figures within Cabinet believed that the committee exercise was 'simply postponing the issue and that we had already [...] quite enough material to enable us to take a decision now.'<sup>49</sup> It was suggested that the whole exercise might 'serve as an invitation to potential immigrants to rush to this country' and even worse, perhaps, it would 'provide far too long an interval for public debate and exacerbation'.<sup>50</sup> Speaking from quite a different wing of the Party, Secretary of State for the Colonies, Alan Lennox-Boyd, argued that setting up a committee would allow time to postpone the development of policy until it could reasonably be legislated for, and, curiously, allow time for 'public opinion to develop further and be crystallised'.<sup>51</sup> There would be no committee until the next parliament.

In early January 1955, the Cabinet acknowledged the existence of widespread public support for limiting the immigration of West Indians to the UK, and however uncomfortable some members may have found the proposal, the need to do something about it.<sup>52</sup> The timing was problematic. Senior Tories worried about getting any eventual bill put into legislation, on the grounds that the opposition parties would not support it, and nor would some of the government's own supporters.<sup>53</sup> Others maintained that bringing in such a bill now would 'seriously dislocate the Parliamentary programme'.<sup>54</sup>

Despite well-founded concerns that it would not be possible to bring in legislation to control immigration at this time, the Prime Minister argued that it would be worth doing so anyway.<sup>55</sup> This was a signalling exercise; it was important for the Conservative Party to portray itself as tough on immigrants and immigration. Even if the bill did not pass, '[a]t least we shd. have shown our view' [sic], as Churchill was reported to have said in a Cabinet meeting.<sup>56</sup>

While the Conservative Cabinet were discussing how to introduce immigration controls – or at least, the possibility of them – the backbenchers were not idle. Some parts of the Conservative Party had 'become agitated'.<sup>57</sup> This was of great help to Conservative ministers. When Tory backbencher Cyril Osborne let it be known that he was considering putting

forward a private member's bill to control Commonwealth immigration, it was seen by ministers as an opportunity for the Conservative Cabinet, rather than a criticism of it. They would be able to get a better understanding of their colleagues' views: 'the attitude of Members on that occasion might provide a useful indication of the prospects of securing Parliamentary approval for a measure of this kind'.<sup>58</sup> In the event, Osborne withdrew the bill.

By May 1955, a draft bill was ready for consideration, and the Cabinet was informed that 'the flow of Colonial immigrants continues to increase'.<sup>59</sup> However, on the advice of the Home Secretary, the Conservatives decided against making any statement on the matter before the general election just a few weeks later.<sup>60</sup> They would make no promise to impose even the 'smallest curbs' on Commonwealth immigrants; there should certainly be 'no definite commitment' to legislate to control immigration.<sup>61</sup> The new Prime Minister, Anthony Eden, did suggest that ministers talk about the problem of immigration during the coming electoral campaign – but as individuals.<sup>62</sup> When asked about 'coloured workers from colonial territories', members of the government and Conservatives candidates should give the vague answer that 'this might be a suitable subject for some form of public enquiry'.<sup>63</sup> Little wonder then that the Cabinet of the early-mid 1950s were reported to be suffering from a 'lack of grip and decision'.<sup>64</sup>

A memo from a cautious Alan Lennox-Boyd to Cabinet was prescient: he stated that it was 'virtually certain that this Government or its successor will be driven by events and by the pressure of public opinion to enact legislation controlling the immigration into this country of British subjects from overseas'.<sup>65</sup> In summary, then, and despite a significant faction of Cabinet that was unenthusiastic about immigration controls, the growing weight of public hostility to immigration put pressure on the government to reluctantly consider such measures.<sup>66</sup>

## 1955 to 1959

The 1955 election was ‘unprecedentedly quiet’, with the ‘outcome [...] as unsensational as the campaign’: the Conservatives won office again – as expected – on a swing of 1.7 per cent.<sup>67</sup> They received 49.7 per cent of the vote and gained 23 seats, which gave them a total of 344. Eden was ‘the first Prime Minister in nearly a century to increase his party’s majority at a general election’.<sup>68</sup> Despite the fact that there had been a significant movement of people into the UK during the last parliament, the election campaign said nothing about immigration. After all, in 1955, Great Britain was 99.8 per cent white; the number of ‘coloured’ immigrants was still relatively small.

Immigration may not have featured in the Party’s election campaign, but, by the mid-1950s, Conservative politicians were becoming increasingly aware of the importance of the issue – or, more specifically, what was seen as the ‘problem’ of black and Asian migration from the New Commonwealth (specifically the West Indies).<sup>69</sup> The Tories had long recognised that legislating to control immigration would likely be contentious. Cabinet members suggested ways in which this could be mitigated, and the Party intended to take advantage of its position in government as a means of shielding itself from controversy. The Home Secretary informed his colleagues that ‘[c]ontroversy would be reduced if it were possible to base the legislation on the recommendations of an impartial Committee’.<sup>70</sup> Ministers had already decided to legislate, before the committee was even set up. They knew exactly what they intended to do, which would make it, in the words of Lennox-Boyd, ‘awkward if they [the committee] find against action’.<sup>71</sup>

Cabinet discussions during this period show that the matter of whether or not to take some kind of action to reduce levels of immigration was no longer in question. The Conservatives had, by now, resolved to do *something*. The main dilemma was whether to legislate and impose restrictions on *all* Commonwealth citizens or, alternatively, to impose restrictions on certain groups. The 1948 legislation which had endowed the concept of Citizen of the United Kingdom and Colonies (CUKC) on all Commonwealth citizens continued to cause

difficulties, with senior Conservatives wary of taking action which might be seen to go against the promises of previous governments.

While the committee was conducting its work, and in the continued absence of formal controls, the Conservatives oversaw a series of administrative procedures which were intended to reduce the levels of immigration by discouraging settlement from the Caribbean and Asia. The measures were ‘neutral in principle but discriminatory in practice’: they allowed the UK government to sift migrants between those it wanted and those it did not want.<sup>72</sup> British offices overseas were required to delay the issuing of passports to black and Asian applicants, to increase the financial deposits that applicants were obliged to make and even to disseminate negative information about the UK to discourage potential migrants.<sup>73</sup> While these soft controls had been around since the early 1950s, the practice continued during this period and the possibility of extending such administrative measures was seriously considered.<sup>74</sup>

Less than two months before the general election of 26 May 1955, the leadership of the Party had passed from Churchill to Anthony Eden on 7 April. Eden had ‘relatively poor knowledge of domestic affairs’ and ‘virtually no experience of a non-departmental, coordinating role’.<sup>75</sup> But the failure to produce comprehensive policy on immigration cannot be attributed to Eden’s lack of interest or experience. This ‘do nothing’ approach encompassed more than the leadership of the Party: factions within the Conservatives were a source of growing difficulties. True, there was a growing faction keen on controlling this new movement of people, but there were at least two other strands that were very much opposed.

While the Conservatives under Eden had seriously considered restricting immigration in 1955, the issue had been quietly shelved following serious opposition within the Party, including the threat of resignation from the Secretary of State for the Colonies.<sup>76</sup> Lennox-Boyd was well-liked within the Conservative Party and a personal friend of the Prime Minister.<sup>77</sup> Eden could do little more than ‘keep the situation under review’.<sup>78</sup> There was no deliberate attempt to keep the ‘open door’ ajar: in fact, Eden was in favour of limiting entry to Commonwealth immigrants for a period of up to five years.<sup>79</sup> However, the reluctance of

the Cabinet, reflecting divisions within the Party over how best to differentiate (if at all) between migrants from the Old Commonwealth and the New Commonwealth, meant that there was ‘deadlock over this question’, and unsurprisingly, migration control was not introduced.<sup>80</sup> Eden ‘effectively killed the draft bill’ by calling for further consideration to be given to the issue.<sup>81</sup>

Within this context of a fractured party, it made sense for a leadership keenly aware of such divisions and wary of provoking bad feeling to push for soft, or administrative controls on immigration, rather than risk further damage to the Party over immigration. Initially, at least, these controls seemed to be working: Cabinet acknowledged in late 1956 that the ‘acceleration in the rate of immigration [...] seemed to have been checked’.<sup>82</sup> By 1957, Cabinet was told that ‘the flow of immigrants had declined significantly’: in the first five months of the year there had been 5,500 migrants from the West Indies, compared with 12,700 for the same period in the previous year.<sup>83</sup>

Halfway through the parliament, there was a change in leadership, after Eden resigned due to ill health, though this was widely seen as a pretext given his disastrous loss of authority after the Suez incident of 1956. By this point, the Conservatives were ‘badly bruised’ and desperately in need of strong leadership.<sup>84</sup> Unfortunately for the Party, factional differences meant that the least disliked candidate – rather than, perhaps, the better candidate – would be chosen for the role of leader. Frontrunner Butler would not have the support of the Suez Group and the Tory right. Harold Macmillan on the other hand, ‘raised no corresponding antipathy among the Tory left’ – and he duly became leader on 10 January 1957.<sup>85</sup>

While the Conservative Party was slowly taking steps to bring in controls on immigration, primary immigration to the UK from the West Indies continued.<sup>86</sup> In Cabinet discussions, ministers argued against legislation on the grounds that the electorate were not ready for such a move and that ‘public opinion generally does not appear yet to be seriously concerned by the problem’.<sup>87</sup> Controlling immigration did become more frequently discussed – albeit behind closed doors, and ministers did consider restricting immigration substantially. After

all, Conservative politicians were also ‘sensitive to the political risks associated with a lax migration policy’.<sup>88</sup>

The Conservatives were growing aware of the strength of public feeling on the issue. Gallup began measuring public opinion on policy issues from 1958 onwards, and, from the start, polls consistently showed majority support for tighter controls on migration.<sup>89</sup> Through 1957 and the first half of 1958, the Conservatives were consistently behind Labour in the opinion polls.<sup>90</sup> And yet, despite this – and the potential for electoral reward – the Conservative leadership were not interested in exploiting the issue. To do so would, for many Conservatives politicians, be ‘divisive and morally objectionable’.<sup>91</sup>

Outside Westminster, a minority of the electorate was becoming impatient and would not wait around while the Conservative Party came up with a line to take. The 1958 riots in Nottingham and Notting Hill seem to have forced Conservative elites to look more closely at the concerns of the voting public. As Hansen says, the riots were ‘a tremendous shock to [...] all political parties’.<sup>92</sup> After condemnation, the second response was to analyse the riots as ‘the response of local people who felt resentful against black immigration’.<sup>93</sup> With supporters of restrictions on immigration using the riots as ‘evidence of popular hostility’ to immigration, commentators argued that the British public would not tolerate a more sizable immigrant presence.<sup>94</sup>

Immigration control was forced to the top of the Tories’ political agenda; it was no longer a matter specific to certain regions.<sup>95</sup> The riots were a visible representation of tensions within communities with ethnic minority populations, however small. Prime Minister Macmillan told his colleagues that it was time to consider legislation again’.<sup>96</sup> (And yet, the Colonial Secretary continued to support administrative controls. Within weeks of the riots, Lennox-Boyd was meeting with West Indian ministers who agreed to delay the issuing of passports by increasing the period between application and grant of the passport from five days to some six months.<sup>97</sup>) The Tory leadership was now under pressure to respond in a more visible manner; frontbenchers shifted their attitude towards migration.<sup>98</sup> Backbenchers too were speaking out, passing on the concerns of their constituents to ministers.<sup>99</sup> Electoral geography

ensured that those MPs with high immigrant populations were backbenchers with ‘little access to the instruments of government and party policy’.<sup>100</sup> Enoch Powell referred with disdain to the ‘knights of the shires’ who were ‘little affected’.<sup>101</sup>

When, in the months following the riots of 1958, the migration issue did recede from public attention, the Conservative leadership did not let go of the issue. Behind closed doors, the matter underwent ‘sustained consideration’.<sup>102</sup> And yet still, there was ‘no clear policy’.<sup>103</sup> The Tory Party could no longer contain the issue. Conservative politician Iain Macleod, who had first stood for parliament in 1945, told the Commons 16 years later that he had seen immigration ‘grow from something about which no figures and no problem existed into a problem that flared into the headlines’.<sup>104</sup> The Conservative Party’s general consensus against introducing serious controls continued to splinter.

## 1959 to 1964

The Conservatives were returned to office in October 1959 in what has been described as a ‘stunning’ victory.<sup>105</sup> It was the third successive victory for the Party; they were now well used to operating within the ‘politics of power’ mode. Butler and Ross note that here, as elsewhere, the Conservatives benefited from being the incumbents during the election period, noting that ‘Ministers readily appear as men of achievement, opposition MPs only as critics’.<sup>106</sup> The share of the vote, at 49.4 per cent was very similar to that in 1955, and yet the Party gained 20 seats. Understandably, given the extent of their success, Prime Minister Macmillan ‘felt little need to give the Party a face-lift in its immediate aftermath’.<sup>107</sup>

Immigration was ‘scarcely an issue’ for the Conservatives; it did not feature in their national campaign.<sup>108</sup> However, in some regions, it was a significant concern, with Conservative parliamentary candidates in Birmingham raising the issue during the campaign. The lack of a leadership-led focus on immigration was because, by 1959, the administrative controls



‘appeared to be doing their job’ and public concern over migration had diminished in the 12 months or so following the riots.<sup>109</sup>

This period of relative quiet did not last. Towards the end of the year, the level of immigration increased (see Table 2), and, most worryingly for the Conservatives, it was ‘black and Asian migration rates [which] accelerated’.<sup>110</sup> A year later, in November 1960, Home Secretary Rab Butler warned his Cabinet colleagues that, while there had been ‘no serious incidents’ yet, it was probably only a matter of time: ‘social tensions continued to exist and were a potential source of serious disturbance’.<sup>111</sup> Although India and Pakistan had been ‘co-operating’ with the UK by employing soft controls, this could not be relied upon for much longer.<sup>112</sup> Both governments, Butler said, were under pressure to lessen their controls.<sup>113</sup>

Table 2: Estimated net migration to the UK from the New Commonwealth, 1953-61<sup>114</sup>

	West Indies	India	Pakistan	Others	Total
<b>1953</b>	2,000				2,000
<b>1954</b>	11,000				11,000
<b>1955</b>	27,500	5,800	1,850	7,500	42,650
<b>1956</b>	29,800	5,600	2,050	9,350	46,800
<b>1957</b>	23,000	6,600	5,200	7,600	42,400
<b>1958</b>	15,000	6,200	4,700	3,950	29,850
<b>1959</b>	16,400	2,950	850	1,400	21,600
<b>1960</b>	49,650	5,900	2,500	-350	57,700
<b>1961</b>	66,300	23,750	25,100	21,250	136,400

The Conservative leadership became less convinced by the continued use of administrative controls.<sup>115</sup> Butler argued that administrative controls were no longer working and that it ‘might become necessary’ to legislate to stem the flow of immigration.<sup>116</sup> With Cabinet of the opinion that the ‘present situation was disquieting’, Macmillan’s government began seriously thinking about restricting migration using legislative means.<sup>117</sup> Unusually, perhaps, the backbenchers were not ahead of their leadership; the 1922 Committee did not begin

taking the issue of immigration seriously until December of 1960.<sup>118</sup> Emboldened by statistics which made it clear that levels of migration had shot up, the Conservative Party faction in favour of restriction had won the debate. While the proposed measures were, as Ford puts it, ‘relatively mild’, this was certainly a change.<sup>119</sup>

By 1961, the Conservatives judged that the need for legislation had become ‘inescapable’.<sup>120</sup> Macmillan recorded in a diary entry that there was general agreement in Cabinet that the Tories would have to legislate that autumn and was surprised to find that his Colonial Secretary agreed.<sup>121</sup> Immigration to the UK had reached an unprecedented 136,000 a year.<sup>122</sup> Immigration from the West Indies and the Indian sub-continent was 21,000 in 1959 and had nearly tripled to 58,000 in 1960.<sup>123</sup> The Party was under pressure from its own supporters, as well as the broader electorate, to bring in a means of control.<sup>124</sup> In October 1961, the Home Secretary firmly, if reluctantly, recommended that legislation be brought forth. The Cabinet agreed and it was decided that a bill would be introduced in the forthcoming parliamentary session.<sup>125</sup>

Butler presented the Commonwealth Immigrants Bill in November 1961 with, in his own words, ‘considerable reluctance’.<sup>126</sup> The 1962 Commonwealth Immigrants Act (CIA), wound up the ‘period of imperial citizenship’, and ushered in a ‘new exclusionary phase’.<sup>127</sup> Controls were applied to all Commonwealth citizens, other than those born in the UK or holding a UK passport issued by the UK government. Those who had not, or did not, would be subject to an employment voucher system. Would-be British migrants could apply for Category A, B or C vouchers, depending on whether they, respectively, had a job offer in the UK, had skills or experience which would be of use to the country, or were unskilled workers in search of employment. Only the number of vouchers in the latter category would be limited, with a quota that could vary according to political, social and economic considerations. Removal from the UK of Commonwealth citizens who had been convicted of an offence was now, for the first time, permitted in law.<sup>128</sup>

The CIA of 1962 had, for the first time, restricted ‘the right of British subjects to enter the “mother country”’.<sup>129</sup> The legislation, though depicted by ministers in parliamentary debates

as non-discriminatory, was specifically intended to restrict New Commonwealth – mainly black – immigration.<sup>130</sup> Government minister W F Deedes later wrote that the ‘real purpose’ of the Bill was to ‘restrict the influx of coloured immigrants’.<sup>131</sup> Irish immigrants – who had been long been regarded as a ‘special case’ – would be formally included within the scope of control, but these controls would, in practice, not be exercised.<sup>132</sup> The Conservative government’s readiness to receive some 50,000 new Irish immigrants every year, combined with a willingness to defer to ‘arguments of practicality against border control where it suited’ would imply that ‘Irish migrants ranked higher on the imperial scale than British subjects of colour’.<sup>133</sup>

The Conservatives soon realised that the controls imposed by the 1962 Commonwealth Immigrants Act were not sufficient either to severely reduce levels of immigration or address public concerns. In 1964, the Home Secretary, Henry Brooke, reported to Cabinet that the Commonwealth Immigration Committee had examined the controls and found them to be ‘inadequate to keep the number of immigrants at an acceptable level’.<sup>134</sup> According to government statistics, prior to the decision to legislate, some 40,000 Commonwealth immigrants had been entering the UK each year; now, in the 12 months leading up to July 1964, around 68,000 had been admitted to the country.<sup>135</sup> Paul suggests that this increase was the result of a concession made by the Conservative government, which, in a bid to ‘lessen the apparent inhumanity’ had allowed for dependants of British subjects who were *already* in the UK to be given allowed unrestricted entry.<sup>136</sup> With some immigrants concerned that this provision would be removed at a later stage, many dependants rushed to enter the UK in the year or so after the 1962 Act was passed.<sup>137</sup>

The Home Secretary believed that the solution was to bring in further controls to substantially reduce the rate of immigration. Brooke informed Cabinet that the Party would need to shift its policy to do so, in order to ‘free ourselves from some of the pledges given during the passage of the Commonwealth Immigrants Bill about the issue of employment vouchers’.<sup>138</sup> Any concerns fellow ministers might have had as to the implications for international relations were put aside. Brooke believed that there would be unlikely to be any objection from Commonwealth countries if there were to be a gradual reduction of the rate of issue of

vouchers.<sup>139</sup> Such an assumption was based on the understanding that these governments had caused little fuss when the 1962 legislation was going through. Brooke even ventured to credit the Act with improving Commonwealth relations, explaining that ‘the regulation of coloured immigration had helped to diminish racial friction’.<sup>140</sup>

While the Conservative Party was developing its immigration policy, so were its competitors, whose policies began to diverge from those of the Tories. In the run-up to the 1964 general election, the parties were finally taking on ‘distinctive positions’: the Conservatives supported further controls and Labour opposed them.<sup>141</sup> In a draft speech intended to signal the Conservative leadership’s intention to further tighten up immigration control, Brooke indicated that he would condemn Labour and the Liberal Party for their opposition to the 1962 Act and show ‘How right the Government was [...] there are now over 300,000 more immigrants who, to judge from the waiting list for entry vouchers, would have come here by now [...] if the control had not been imposed’.<sup>142</sup>

And yet, despite such claims, the Conservatives did not try to distinguish themselves from their main opponent by seeking to make immigration a significant issue in the 1964 election campaign. Ford’s explanation is that neither the Tories nor Labour wanted to exploit an issue which might expose – and exacerbate – major internal divisions within their party. The Conservatives were, despite the 1962 legislation, still very much divided between ‘Imperialists opposed to restriction and little-Englanders favouring tougher restrictions’.<sup>143</sup>

## **4.2 Explaining Conservative immigration policy**

### **The dynamics of government versus opposition**

My first proposition asserts that policy-making is influenced by the status of the political party in question: it does matter whether the party is in office or in opposition. Yet during this post-war period, initially, at least, this proposition is not relevant. The dynamics of ‘the politics of power’ versus ‘the politics of support’ is less useful when the topic of policy-making – here, immigration – is not a prominent issue for politicians or the electorate. A wish to maintain international relations with the Commonwealth, which was of particular importance when the Conservatives were in government, served to delay the making of immigration policy. Towards the end of the period, however, as levels of migration to the UK continued to climb, there was a slow but steady push for restricting immigration in the form of legislation. The civil service – whose role in the Conservatives’ policy-making is minimal when the Party is in opposition – helped create an environment in which tightening up immigration controls was perceived to be the only legislative option.

## **1945 to 1951**

The unexpected defeat of the Conservatives in the immediate post-war election of 1945 did make it difficult for the Party to develop and revise policy more generally. Without the support of the civil service, the Tories were left to rely on the Conservative Research Department, which at the time was lacking both staff and resources. This state of affairs, combined with a Leader’s Consultative Committee (in effect, a Shadow Cabinet) that was disorganised, even dysfunctional, meant that policy-making during this parliament was difficult. There was not much in the way of Conservative policy on immigration, official or otherwise; little serious thought was given to the issue by Tory politicians. When the Labour government passed the British Nationality Act, which opened up settlement in the UK to some 600 million people, the Tories did not, in their role as the official opposition, criticise the legislation. They did not expect the Act to facilitate migration into the UK.<sup>144</sup>

## **1951 to 1955**

Although the Conservatives did lose the subsequent general election in 1950, their success at the 1951 election returned them to office and the Party was able to quickly resume its ‘politics of power’ approach. Namely, Conservative policy was well-thought-out and practical, if not necessarily of great interest to the electorate. While the level of immigration did rise during this period, in the years following the passing of the British Nationality Act of 1948, it was of no immediate concern to a Conservative government. Migration levels were not yet perceived to be problematic, and there were other priorities which prevented the Conservatives from developing policy on immigration. For one thing, the Party from 1951 onwards was more concerned with ‘reassuring the electorate’ that Labour’s scaremongering about the Tories was groundless – hence the emphasis was on ‘consolidation’ as well as the implementation of popular pledges.<sup>145</sup> It was important that the Party projected an image of competence and authority, or, in other words, that the Tories took on the mantle of the ‘politics of power’. A potentially controversial policy on immigration would not have fitted in with the desired image.

## **1955 to 1959**

In the mid-late 1950s, one significant obstacle to Conservative policy-making restricting immigration – and one that was more relevant with the Party back in office – was the need to maintain relations with other Commonwealth countries. Domestic concerns about rising levels of migration from the Commonwealth, and the impact on British society, were superseded by a different sphere of policy. In the 1950s, worries about Commonwealth migration were ‘secondary to a larger foreign policy aim – maintaining close relations with the Old Commonwealth’.<sup>146</sup>

The Conservative focus on retaining links with the former colonies was not only pragmatic; it was deeply ideological. Both the leadership of the Party and the dominant factions within it were concerned with maintaining relations with the Commonwealth. Policy-makers could not fail to be influenced by such considerations when calls to restrict the movement of

Commonwealth citizens were made. The Conservatives' 1955 election manifesto emphasised the commitment that many within the Party felt towards the Commonwealth:

The British Commonwealth and Empire is the greatest force for peace and progress in the world today. [...] We are its founder member, and for a large part we are still directly responsible.<sup>147</sup>

Despite the reluctance of ministers to discuss the issue of immigration publicly, debates took place in private throughout the early 1950s. The debates reveal the 'conviction held by many Conservative politicians [...] that Britain's political future lay at the centre of the Commonwealth, rather than in cooperation with Europe'.<sup>148</sup> Unsurprisingly, then, both politicians and civil servants were reluctant to impose restrictions on Commonwealth countries which were perceived to be integral to the future of the UK.<sup>149</sup> After all, if free movement between the Old Dominions and the colonies and the UK was a symbol of the links between these countries, taking steps to remove this movement would be deeply damaging to continued close relations.

The Conservative leadership ruled it something of a success – at least, with regard to maintaining international relations – when Conservative MP Cyril Osborne decided not to proceed with his plan to bring in a private member's bill on controlling immigration. The Cabinet argued that the forthcoming visit of Princess Margaret to the West Indies, combined with a recently-fought election in Jamaica (which was still under British rule) meant that it was currently 'an inopportune moment to initiate action on this matter'.<sup>150</sup>

Considerations for international relations continued to hinder the development of immigration policy under the newly-elected Conservative government of 1955. The Colonial Secretary Lennox-Boyd warned that legislation against Commonwealth immigration would not only be regarded as discriminatory, but that it would have 'a particularly unfortunate effect on our relations with the West Indies, and might well prejudice the future association of the proposed West Indian Federation with the Commonwealth'.<sup>151</sup>

When increased levels of migration and growing public hostility demanded some kind of response, ministers did begin to discuss restricting immigration. Yet, keen to maintain

reasonable relations with Commonwealth countries – out of both loyalty and economic concerns – the Conservatives were able to maintain and extend administrative controls on migrants. This, then, is an example of the Conservatives benefitting from their position in office by bringing about a ‘best of both worlds’ solution and almost certainly doing policy differently to how they might have done in opposition, which would, likely, have been to press for more explicit controls.

### **1959 to 1964**

During the early 1960s, when the Party held office having won its third consecutive election victory, the Tories were now well used to operating within the ‘politics of power’ mode. Given that Conservative strategy seemed to be ‘working’, that is, levels of immigration were not increasing significantly, there seemed no need to make changes to policy. However, as migration levels continued to climb, senior Party figures began to lose faith in soft controls and there was a slow but steady push for restricting migration in the form of legislation.

This shift was encouraged by an entity whose level of influence on Conservative policy-making would have been far less if the Party had been in opposition. The civil service was close to irrelevant when the Party was in opposition. In government, however, Tory ministers were, and are, encouraged to reconsider policies on the advice of their civil servants.<sup>152</sup> Several ministries (including the Ministry of Labour) repeatedly pushed for controls on immigration.<sup>153</sup> The civil service helped create an environment in which tightening up immigration controls was perceived to be the only legislative option.



## Electoral considerations, leadership and factions

My second proposition contends that there are three influencing factors with regard to party policy-making: the ‘fear of electoral defeat’, or, electoral calculations relating to elections in the recent past or coming up in the short term; the leader of the party’s interest in, and stance on, the issue as well as their managerial style; and lastly, the factions that may, to some extent, direct the Party. I find that these factors are critical to policy-making during certain periods. When divisions within the Party are most apparent, the role of opposing factions can well explain the changes (or lack thereof) to policy-making. The leadership’s take on immigration – and their affinity with particular wings of the Party – is also important. Electoral considerations are less of a concern: Tory politicians did not at this time believe that there would be votes in immigration, nor would it be seemly to mobilise in such a way.

### 1945 to 1951

#### Factions

In the immediate post-war period, the Conservatives did not have an explicit immigration policy, but nor did they object to the 1948 British Nationality Act, which allowed for the expansion of UK settlement rights to more than half a billion people. Dominant ‘moderate’ factions within the Party cannot fully explain the lack of policy on this issue or indeed the lack of objections to the liberalisation of the UK’s immigration laws. Although there was ‘considerable doubt as to what the Conservative attitude was or should be’, there were, at this time, no significant divisions within the Party on immigration.<sup>154</sup> If anything, a Party-wide respect for the Empire would have dissuaded any individuals from undermining legislation that was merely restoring the rights of citizens of the Empire. As late as 1949, the Conservative Party published *The Imperial Charter*, a document which declared that ‘if the British Empire were to break up Britain would become a third-class power unable to feed or defend herself’.<sup>155</sup>

## Leadership

If factions cannot fully explain Conservative near-silence on the issue, can the answer lie in the leadership of the Party? While Winston Churchill had expressed xenophobic sentiment, and would later, in 1954, warn of a ‘magpie society’ (that is, with black and white citizens), immigration does not seem to have been a concern to him in the immediate post-war period.<sup>156</sup> Furthermore, Churchill was uninterested in his new and unexpected position as leader of the opposition and had ‘no intention of applying himself to the daily grind of Opposition’.<sup>157</sup> He was more interested in foreign affairs and ‘cared little’ for domestic matters.<sup>158</sup> Immigration was a low priority to him. We can only conclude that the British Nationality Act was viewed as no more than correcting a technicality, and was, then, at least, ‘only peripherally related to immigration’, and so there was no need for the Conservatives to develop policy on the issue.<sup>159</sup>

## Electoral motivations

Nor can electoral considerations provide an explanation for the lack of immigration policy. True, the Party had lost a general election, and it might be expected that the Tories would take lessons from this; in order to avoid further defeat, they might perhaps change their policy. Yet, on a topic such as immigration, which was then something of a non-issue, little would have been gained. From the early 1950s onwards, a handful of Conservative backbenchers and parliamentary candidates seized upon the issue of immigration. However, the leadership of the Party remained quiet, even as public opinion grew more solidly in favour of controlling immigration. It was not yet clear to the Tory leadership how significant – and how long-running – the issue would be, with even Churchill himself admitting that the impact of immigration did not yet warrant counter-measures.<sup>160</sup>

## 1951 to 1955

### Factions

As levels of migration to the UK from the New Commonwealth increased during the early-mid 1950s, from 2,000 in 1953 to more than five times that in 1954, the issue threatened to damage the Party and entrench emerging factions.<sup>161</sup> In November 1954, the rate of immigration from the West Indies was referred to in Cabinet as a ‘matter of some urgency’.<sup>162</sup> In that same year, Churchill’s decision to reshuffle his Cabinet had a significant, if unintentional, effect: the dominant faction within the new Cabinet were opposed to managing migration levels through formal controls.<sup>163</sup> With the key members of the Party uninterested in taking the legislative route to control migration, it is unsurprising that the implementation of migration controls was delayed.<sup>164</sup>

### Leadership

During the 1951 parliament, Churchill became more concerned by immigration to the UK, though he made no real effort to push for controls, preferring to concern himself with international issues. The leadership factor, then, is only relevant in the sense that Churchill’s lack of interest in the issue ensured that immigration was not a priority for policy development. It was only towards the end of his time in office that he expressed worries about controlling migration, and his subsequent struggle to get his ministers to take the issue seriously.<sup>165</sup> Gilmour argues that if Churchill had continued as leader of the Party beyond April 1955, ‘legislation would almost certainly have been introduced far earlier than it was’.<sup>166</sup>

## Electoral motivations

The fear of electoral defeat was not a great concern during this time; there were no efforts made to exploit the issue. This was no error. With the Conservatives keeping quiet on immigration so as not to deepen existing divisions, it was sensible to leave the matter out of Party manifestos of 1950 and 1951 and subsequent public documentation. In private, Home Secretary Maxwell Fyfe did argue that ‘public opinion is quite uninformed on this subject, and that this is part of the reason for the reluctance to discuss the matter in public’.<sup>167</sup> When, towards the end of this period, the Conservative leadership *did* decide to consider the possibility of legislation, ministers did not want to make electoral gain out of the issue. One memorandum to Cabinet from the Home Secretary suggested that the Prime Minister meet to discuss the matter with the Leader of the Opposition on the grounds that ‘this is not a matter of Party politics but is one of national concern which will have to be tackled soon by whichever Party is in power’.<sup>168</sup>

## 1955 to 1959

### Factions

During the mid-late 1950s, factions within the Conservatives were a source of growing difficulties to the Party leadership, particularly when distinct and separate wings of the Party – with different motivations – formed an informal coalition in opposition to controls on migration. A substantial wing of the Party represented Conservatives with an ideological commitment to maintaining strong links with the Commonwealth. They opposed the option of introducing controls on all Commonwealth immigrants, including the ‘Old Commonwealth’ of Canada, New Zealand, and Australia.<sup>169</sup> Policy-making at the time was ‘conditioned by an ideological commitment [...] especially amongst Conservatives, to a previous century’s colonies’.<sup>170</sup> A further faction was made up of those of more liberal

opinion, who were opposed to discrimination on racial grounds. It was these Conservatives who did not support controls that they believed to be discriminatory.<sup>171</sup>

The newly emerging immigration issue created something of a dilemma for the Party: immigration from the Commonwealth ‘generated passions and interests’ that made continued internal party unity difficult.<sup>172</sup> The importance of securing party unity – and preventing existing factions becoming more entrenched – was a further reason for the Tories to hold off on developing a restrictive and undoubtedly controversial immigration policy. Hansen argues that this period, in which the so-called ‘open door’ remained wide open, is down to a struggle for power between different factions within the mainstream parties. Thus, the moderate and liberal policy of this time was the result of ‘the intersection of a bipartisan ideological commitment, on the one hand, and the distribution of power within the Conservative Party, on the other’.<sup>173</sup> Efforts to bring in migration controls were obstructed not because of political weakness, but because of political division. The Eden government had, early on, begun looking into restricting immigration, but opposition from within the Party and a threat of resignation from the Colonial Secretary meant that this was quietly put to one side.

In the later years, the riots of 1958, which had brought pressure on the Conservative leadership to bring in more restrictive policy without delay, forced the emergence of a restrictionist faction which enjoyed support among both backbenchers and ministers. Certain prominent individuals within the Cabinet from the liberal faction of the Party, however, continued to oppose controls. The displays of street violence had encouraged ‘public pressure against migration [but] they decreased the government’s ability to respond’, because the ‘liberal wing would not accept a panicked response’.<sup>174</sup>

## Leadership

The appointment of Eden as leader of the Party in April 1955 ensured that there would be little done on immigration. By the mid-1950s, Conservative ministers were now seriously

discussing the imposition of immigration controls, in part because of a growing clamour for such measures. However, Eden wished to retain his reputation for being a ‘moderate’ and where possible, to avoid controversy – and the matter of imposing restrictions on immigrants was nothing if not controversial at this time.<sup>175</sup> His previous role as Foreign Secretary – and the contacts he had made from this time – made it unlikely that he would implement measures which might damage relations with other Commonwealth countries. As one biographer put it ‘[i]f in foreign policy matters he had been keen to please Nehru [the first Prime Minister of India], he would scarcely have wished to offend him by introducing discriminatory laws relating to Commonwealth immigration’.<sup>176</sup> Furthermore, Eden’s lack of experience and general discomfort with domestic policy militated against a comprehensive approach to managing levels of migration.<sup>177</sup>

Within two years, Macmillan had become leader and pushed the immigration issue back into the open. One might have thought that Macmillan would drive the Conservative Party’s immigration policy in a more restrictive direction. He was, after all, ‘seen by the right as decisive’, and had ‘few, if any enemies’ within the parliamentary party who might have obstructed his decisions.<sup>178</sup> Macmillan used his right to appoint ministers as near proxies for himself: his priority was ‘to find someone he thought would take policy in the direction he himself desired’.<sup>179</sup> His appointments did not always work out as he had wanted. In a diary entry, he described his new Colonial Secretary, Reginald Maudling, as ‘plus noir que les nègres’, ‘more difficult and intransigent than his predecessor [Macleod]’.<sup>180</sup> Macmillan played a greater role than previous Tory leaders in driving immigration policy change, despite it being an issue which he did not consider to be of the highest priority.<sup>181</sup> Notably, just a few days after he became Prime Minister, Macmillan sent his colleagues in Cabinet a paper which argued that ‘the new government’s approach to the colonies must be entirely pragmatic: those that wanted independence and where continued British possession made no economic sense should be let go’.<sup>182</sup> He would later call for an end to an ideological, if not emotional, commitment to the colonies.

## Electoral motivations

Far less significant as a means of explaining the delay in developing an immigration policy was the fear of electoral defeat. The landslide victory of 1955, in which as the incumbent, the Party had, unusually, increased its majority, meant that there was less of a need to worry about such things. The ‘comparative lack of public interest made inaction on immigration easier’ for the Party.<sup>183</sup> Many within the Cabinet agreed with Colonies Secretary Lennox-Boyd that the election had showed that immigration was not regarded as a serious concern.<sup>184</sup> Few seemed to have concurred with Lord Salisbury, Lord President of the Council, who argued that it ‘[d]oesn’t matter that [the] public don’t ask for control now. It may be our duty to act ahead, before it is too late.’<sup>185</sup>

The Committee of Ministers that had been set up to consider the immigration issue reported back to Cabinet in June 1956 that ‘public opinion is much less exercised about the question than it was a year or two ago’.<sup>186</sup> The immigration of citizens from the colonies had previously been a new phenomenon; it was now ‘regarded with diminished interest’.<sup>187</sup> Such a conclusion mitigated against bringing in controls against immigration. The government ‘chose not to legislate along the lines suggested by the Committee *primarily because public concern had decreased* with the passage of time’ (my italics).<sup>188</sup> Indeed, polling in the run-up to the election of 1959 found that ‘concern for [...] economic well-being came first; foreign affairs came a poor second; colonial and other issues were nowhere’.<sup>189</sup>

Furthermore, even if they had believed immigration to be a significant concern, the Conservatives did not think there would be much to gain from a complicated and sensitive issue. It was better, it was believed, to work quietly behind the scenes, strengthening the soft measures to discourage black and Asian migration. However, that is not to say that the Conservatives were oblivious to public concerns. They may not have legislated to reduce immigration in this period (the conclusions from one Cabinet meeting in July 1957 state that ‘public opinion was not yet prepared for [...] statutory regulation’).<sup>190</sup> However, Conservative ministers were certainly discussing immigration.<sup>191</sup> Correspondence with

backbenchers who were themselves in contact with worried constituents, as well as unrest within Party ranks, meant that ministers could not ignore the issue.

## 1959 to 1964

### Factions

In response to criticism that the Commonwealth Immigrants Bill was being rushed through parliament, Iain Macleod, the Leader of the House, replied that ‘we have taken years to decide it’.<sup>192</sup> This first piece of post-war legislation setting out controls on immigration was passed in 1962. But what explains the decision to legislate? Neither changes to factions within the Conservative Party, nor disputes between factions, are of much use. Macmillan did undertake a major Cabinet reshuffle in 1961 (the infamous ‘Night of the Long Knives’), in which he dismissed a third of his colleagues, but this had little impact in terms of changing the factional make-up of the Cabinet.<sup>193</sup> One of the factions within the Party that was most concerned by the legislation was made up of a loose collection of ‘our more right-wing backbenchers who were most worried [...] [that] the whole principle of the Empire and the Commonwealth was being undermined by these attempts to impede with free movement’.<sup>194</sup> As an undergraduate, Ken Clarke went to listen to the debates and recalled that the bill ‘caused great furore within the Conservative Party’ before being passed ‘with great difficulty’.<sup>195</sup>

The definitive move towards restricting immigration through legislation was a reluctant response to an issue that, for the Conservatives, could no longer be contained. Few of the key figures within the Party were enthusiastic about what would become the Commonwealth Immigrants Act of 1962. They had tried diplomatic means and administrative measures, but the level of migration had increased to a new high of nearly 58,000 in 1960 (see Table 2). They had returned to the issue following periods in which the public seemed particularly hostile to immigration and immigrants, and they had dropped it in favour of high-priority matters when public concern had decreased.



## Leadership

The Conservative Party of the 1960s did not have a defined stance on immigration: the leadership was ‘in a muddle’.<sup>196</sup> Macmillan had given his ‘Wind of Change’ speech in 1960, in which he acknowledged – and celebrated – the rise of African nationalism.<sup>197</sup> The speech pointed out an incoherence within the Conservative Party’s approach to Africa: the conflict between the ‘traditional relationship with the white communities in the south and the new support for independent black states in the north’.<sup>198</sup> The speech was so disliked by some within the Party that it led to the formation of the right-wing anti-immigration group, the Monday Club, which created difficulties for the leadership from this point onwards until the early 1970s.<sup>199</sup>

The leadership were not unaware of the strength of public feeling; their backbenchers made great efforts to communicate the level of concern within their constituencies. As Hansen notes, from Gallup’s first measure of public opinion in 1958, polls consistently demonstrated majority support for stricter migration control, and these demands intensified in the run-up to the introduction of the first such controls in 1962.<sup>200</sup> Despite this, there is evidence that the leadership were somewhat dismissive of polling, with senior politicians arguing that opinion polls were ‘no substitute for judgements about the electorate based largely on hunch, experience, the press, and personal contacts’.<sup>201</sup> Fortunately for the Conservative leadership, their ‘hunch’ was close to that of the ordinary voter.

The leadership was not compelled into bringing about legislation by their backbenchers. In fact, according to Hansen, there is no evidence to support the claim that frontbenchers were compelled to bring in controls by backbench restrictionism.<sup>202</sup> Rather, backbenchers’ focus on immigration made it an issue that had to be discussed. The Cabinet, the leadership, and senior Tories were led more by their own ideas about what was right and proper.

## Electoral motivations

The Tories' fear of electoral defeat is of some relevance in explaining the move towards restrictionist policy. The Party had been shocked by poor poll ratings and by-election results, but the move towards restrictions had already begun.<sup>203</sup> Senior Conservative figures were making moves to legislate, driven in part by 'the hostility on the issue picked up by canvassers and candidates at the 1959 election', and 'by fears that this hostility [...] would damage race relations', as well as the increase in black and Asian migration to the UK at a time when employment was falling.<sup>204</sup> If, however, the Conservatives had been more concerned by electoral motivations, they would likely have talked up the issue more in the years leading up to, and following the introduction of legislation. What was to become the 1962 Commonwealth Immigrants Act had not even been hinted at in the manifesto of 1959.

## 4.3 Conclusion

This chapter has examined the Conservative Party's immigration policy-making from 1945 to 1964. During this time, the Party's policy was transformed – from the nearly non-existent (before World War Two Britain had been a country of *emigration*) to a more developed entity. The issue of immigration became a matter of national interest as public hostility to black and Asian immigration in some areas became apparent. Over time, the bulk of the Conservative Party took on a much more restrictionist approach to migration, race and citizenship. Policy-making was heavily influenced by the Tories' concerns about the negative impact of immigration on communities, as well as a desire not to interfere with, or damage relations with, the Commonwealth. The result was a Conservative Party which 'sought to restrict non-white immigration while avoiding public debates'.<sup>205</sup>

Using the lens of the government versus opposition framework has allowed for a deeper understanding of immigration policy-making within the Conservative Party. The framework

is not consistently relevant, particularly with regard to the immediate post-war period, but it has allowed for two points to be made.

First, when the policy issue has low salience, policy-making is less impacted by the differing dynamics of the ‘politics of power’ versus the ‘politics of support’. The converse is also true. During this period, as immigration became a growing public concern, there was more of a differential between policy that was produced when the Conservatives were in government and when they were in opposition. In other words, policy and policy-making *is* dependent on the status of the party – but only when the policy issue is a priority for the party.

Second, the Party’s interest in maintaining international relations was consistently stronger when the Party was in office than when it was not. When the Tories were more mindful of how other countries might react, they were less likely to bring in sweeping changes to immigration policy. For much of this period, worries about Commonwealth migration to the UK were less important than preserving close relations with Commonwealth countries. By the final parliament, the Conservatives were less sensitive to the need to preserve international relations: it was not irrelevant but it was less of a priority. This explains, in part, the Tory Party’s move from administrative measures to legislation to control immigration.

This chapter has also considered three separate drivers of party policy-making: the ‘fear of electoral defeat’, or, electoral calculations relating to elections in the recent past or future; the party leader’s interest in, and stance on, the issue as well as their managerial style; and lastly, the factions that, to some extent, direct the party. Of the three factors, their impact on immigration policy is varied, and fluctuates throughout the period.

The existence of – and interaction between – factions within the Conservative Party is most helpful as a means of explaining the changes (or lack of) in policy in this period, particularly when the divisions are most apparent. For much of this period, migration controls remain theoretical and the ‘open door’ stays wide open – this was the outcome of a struggle for power between different factions. When Eden’s government began considering restricting immigration, opposition from within the Party and a threat of resignation from the Colonial Secretary ensured that no action would be taken. It was difficult for the leader to win over

his colleagues when the various factions of the party had different reasons for opposing control. It seemed preferable to keep the Tory Party together than to risk further divisions developing an undoubtedly controversial immigration policy.

Less important, though still relevant in explaining policy change, is the leadership of the Party. The Conservative leader's take on immigration, and their affinity with particular wings of the Party, does matter. Churchill paid little attention to domestic affairs, and only acquired something of an interest in immigration towards the end of his leadership in 1954. However, at that time, he could not get his ministers to take it seriously; the dominant faction in charge of the Party would not allow restrictions on immigration. While the Party under Eden did consider controls on the movement of people into the UK, Eden's leadership ensured not much would be done. He was keen to retain his reputation for being a 'moderate' and where possible, wished to avoid controversy. Macmillan may not have considered immigration policy to be of the highest priority but he played a greater role than previous Tory leaders in driving changes to policy. In calling for a more modern and tolerant way of dealing with the UK's former colonies, he put paid to the idea that the citizens of these countries should receive special treatment (including unrestricted entry to Britain).

Electoral calculations are close to insignificant as a means of explaining developments in immigration policy. Despite the Conservative Party suffering an unexpected defeat at the start of the period, followed by a second – albeit brief – term in opposition, the making of immigration policy was not affected by the motivation to win votes. The topic was considered close to a non-issue for much of this period and Tory politicians did not believe they could gain electoral support on the back of it. The Labour Party's shared interest in keeping immigration off the political agenda may have helped the Tories. Had Labour decided to politicise the issue to criticise the Tories, then the latter would likely have had to take a different position. Further, many figures within the Party did not believe it was right to exploit an issue as sensitive and volatile as immigration. If the Conservatives had been less concerned about the unseemliness of mobilising in such a way, they would have made more of immigration policy both before and following the introduction of legislation.

## Notes

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<sup>1</sup> The National Archives of the UK (TNA): CAB/129/72/29, 'Colonial immigrants: Memorandum by Secretary of State for the Colonies', 6 December 1954.

<sup>2</sup> TNA: CAB/129/75/16, 'Colonial immigrants: Memorandum by the Secretary of State for the Home Department and Minister for Welsh Affairs', 3 May 1955.

<sup>3</sup> Hansen, R. *Citizenship and immigration in postwar Britain*. (Oxford: Oxford University Press, 2000). 63.

<sup>4</sup> Ford, R. *British attitudes towards immigrant ethnic minorities 1964-2005: Reactions to diversity and their political effects*. (University of Oxford: unpublished doctoral thesis, 2007). 148.

<sup>5</sup> Paul, K. *Whitewashing Britain: Race and Citizenship in the Postwar Era*. (New York: Cornell University Press, 1997). 67.

<sup>6</sup> The association of immigrants with crime and sickness is a long-standing one. An editorial in a broadsheet in 1905 referred to 'the dirty, destitute, diseased, verminous and criminal foreigner'. Cited in Cohen, S, Humphries, B and Mynott, E. *From Immigration Controls to Welfare Controls*. (London: Routledge, 2002). 14.

In the same period, the Aliens Act of 1905 legislated that leave to enter the UK could be denied if the potential migrant was an 'undesirable'. Grounds for refusal could be due to 'any disease or infirmity liable [which might cause them] to become a charge upon the public rates' or 'if they are infected with contagious disease'. See Aliens Act 1905, c.13. Available at <http://bit.ly/HO8MqR> accessed 10 March 2013.

The association was still around in 1950s and 1960s Britain: Andrew Geddes refers to the association of immigrants with immigration with 'poverty, crime, vice and disease' in his text *The Politics of Immigration and Race*. (Manchester: Baseline, 1996). 45-46.

As for miscegenation: 'You have to go back to the psychology of the 1950s [...] it was totally different. [...] miscegenation [...] was considered totally immoral in my childhood, a black man and a white woman was absolutely considered totally shocking, you could have some immigration with coloured men and coloured women who might marry each other, but the thought that they might marry white people and produce slightly coloured people was considered totally shocking, and that I think was the underlying Tory right-wing view of the whole situation, which is almost unbelievable these days.' Interview with Brendon Sewill, 17 September 2015.

<sup>7</sup> See HC Deb 3 April (1958), vol 585, cols 1415-26, 'Immigration policy', in which parliamentarians discuss the impact of 'unrestricted colonial migration' on, variously, the NHS, the employment of Britons, the housing stock and school class sizes.

<sup>8</sup> Layton-Henry, Z. 'The New Commonwealth Migrants, 1945-62'. *History Today*. 1985. 35(12). 27.

<sup>9</sup> Rothwell, V. *Anthony Eden: A political biography 1931-57* (Manchester: Manchester University Press, 1992), 192.

<sup>10</sup> Macmillan, H. In. ed. Catterall, P. *The Macmillan Diaries Volume II: Prime Minister and After, 1957-66*. (London: Macmillan, 2011). 442-443. 15 January 1962.

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- <sup>11</sup> Bale, T. *The Conservatives since 1945: The Drivers of Party Change*. (Oxford: Oxford University Press, 2012). 13.
- <sup>12</sup> Blake, R. *The Conservative Party from Peel to Major*. (London: Faber and Faber, 2011). 259.
- <sup>13</sup> Bale, 2012, op. cit. 26.
- <sup>14</sup> Ibid. 26.
- <sup>15</sup> Cooke, A and Parkinson, S. 'Rab Butler's Golden Era?' In. eds. Cooke, A. *Tory Policy-making: The Conservative Research Department 1929-2009*. (Eastbourne: Manor Creative, 2009). 29.
- <sup>16</sup> Hansen, 2000, op. cit. 56.
- <sup>17</sup> Paul, K. *Whitewashing Britain: Race and Citizenship in the Postwar Era*. (New York: Cornell University Press, 1997). 91.
- <sup>18</sup> Ibid. 52.
- <sup>19</sup> See Hansen, 2000, op. cit. 35.
- <sup>20</sup> Ford, 2007, op. cit. 238.
- <sup>21</sup> Hansen argues that the legislation is 'neither misguided nor naive' because it was drafted and debated with the 'expectation of little migration'. See Hansen, 2000, op. cit. 56.
- <sup>22</sup> Ford, 2007, op. cit. 239.
- <sup>23</sup> Bale, 2012, op. cit. 24.
- <sup>24</sup> Ibid. 24.
- <sup>25</sup> Cooke and Parkinson, 2009, op. cit. 45.
- <sup>26</sup> Butler, D E. *The British General Election of 1951*. (London: Macmillan, 1952). 15.
- <sup>27</sup> Gamble, A. *The Free Economy and the Strong State*. (Hampshire: Palgrave, 1994). 72.
- <sup>28</sup> Blake, 2011, op. cit. 257.
- <sup>29</sup> Bale, 2012, op. cit. 26.
- <sup>30</sup> Ibid. 26.
- <sup>31</sup> Butler, 1952, op. cit. 45.
- <sup>32</sup> Hansen, 2000, op. cit. 64.
- <sup>33</sup> Ibid. 19

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- <sup>34</sup> TNA: CAB/129/66/44, 'Immigration of coloured people: Memorandum by the Secretary of State for the Home Department and Minister for Welsh Affairs', 9 March 1954.
- <sup>35</sup> Hansen, 2000, op. cit. 78.
- <sup>36</sup> TNA: CAB/128/29/54, TNA: CAB 128/27/78, 'Conclusions of a Meeting of the Cabinet', 3 February 1954.
- <sup>37</sup> TNA: CAB/129/66/44, 'Immigration of coloured people: Memorandum by the Secretary of State for the Home Department and Minister for Welsh Affairs', 9 March 1954.
- <sup>38</sup> Ibid.
- <sup>39</sup> Hansen, 2000, op. cit. 68.
- <sup>40</sup> TNA: CAB/129/72/4, 'Colonial immigrants: Memorandum by the Secretary of State for the Home Department and Minister for Welsh Affairs', 22 Nov 1954.
- <sup>41</sup> Ibid.
- <sup>42</sup> Layton-Henry, Z. *The Politics of Immigration* (Oxford: Blackwell, 1994). 33.
- <sup>43</sup> TNA: CAB/129/66/44, 'Immigration of coloured people: Memorandum by the Secretary of State for the Home Department and Minister for Welsh Affairs', 9 March 1954.
- <sup>44</sup> TNA: CAB 128/27/78, 'Conclusions of a Meeting of the Cabinet', 24 Nov 1954.
- <sup>45</sup> Carlton, D. *Anthony Eden: A Biography*. (London: Allen Lane, 1981). 375. and Lamb, R. *The Macmillan Years, 1957-63: The Emerging Truth*. (London: John Murray, 1995). 410.
- <sup>46</sup> TNA: CAB/128/27/82, 'Conclusions of a Meeting of the Cabinet', 6 December 1954.
- <sup>47</sup> Gilmour, I. *Whatever Happened to the Tories: The Conservatives Since 1945*. (London: Fourth Estate, 1998). 78.
- <sup>48</sup> Ibid. 79.
- <sup>49</sup> TNA : CAB/129/72/29, 'Colonial immigrants: Memorandum by Secretary of State for the Colonies', 6 December 1954.
- <sup>50</sup> Ibid.
- <sup>51</sup> Ibid.
- <sup>52</sup> TNA: CAB/128/28/3, 'Conclusions of a Meeting of the Cabinet', 13 January 1955.
- <sup>53</sup> Ibid.
- <sup>54</sup> Ibid.
- <sup>55</sup> See 'M[i]ght be worth bringing this leg[islation] in, even if we can't pass it.' attributed to the Prime Minister in TNA: CAB/195/13/17, notes from a meeting of the Cabinet on 13 January 1955.

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<sup>56</sup> TNA: CAB/195/13/19, notes from a meeting of the Cabinet on 20 January 1955.

<sup>57</sup> Lamb, 1995, *op. cit.* 412.

<sup>58</sup> TNA: CAB/128/28/6, 'Conclusions of a Meeting of the Cabinet', 24 January 1955.

<sup>59</sup> TNA: CAB/129/75/16, 'Colonial immigrants: Memorandum by the Secretary of State for the Home Department and Minister for Welsh Affairs', 3 May 1955.

<sup>60</sup> *Ibid.*

<sup>61</sup> Rothwell, V. 1992, *op. cit.* 192. and TNA: CAB/129/75/16, 'Colonial immigrants: Memorandum by the Secretary of State for the Home Department and Minister for Welsh Affairs', 3 May 1955.

<sup>62</sup> TNA: CAB/128/29/9, 'Conclusions of a Meeting of the Cabinet', 3 May 1955.

<sup>63</sup> *Ibid.*

<sup>64</sup> Blake, 2011, *op. cit.* 272.

<sup>65</sup> TNA : CAB/129/72/29, 6 December 1954, *op. cit.*

<sup>66</sup> Ford, 2007, *op. cit.* chapter 6.

<sup>67</sup> Butler, D E. *The British General Election of 1955.* (London: Frank Cass & Co, 1969). 1. and Blake, 2011, *op. cit.* 274.

<sup>68</sup> Bale, 2012, *op. cit.* 50.

<sup>69</sup> Ford, 2007, *op. cit.* 239, 241.

<sup>70</sup> TNA: CAB/195/13/56, notes from a meeting of the Cabinet on 14 June 1955.

<sup>71</sup> *Ibid.*

<sup>72</sup> Ford, 2007, *op. cit.* 241, footnote 5.

<sup>73</sup> See Spencer, I. *British immigration policy since 1939.* (London: Routledge, 1997); Winder, R. *Bloody Foreigners.* (London: Abacus, 2005). chapter 2. and Ford, 2007, *op. cit.* chapter 6.

<sup>74</sup> TNA: CAB/128/23/51, 'Conclusions of a Meeting of the Cabinet', 1 July 1958. and TNA: CAB/129/93/29, 'Commonwealth immigrants: Memorandum by the Lord President of the Council', 20 June 1958.

<sup>75</sup> Bale, 2012, *op. cit.* 76.

<sup>76</sup> Gilmour, 1998, *op. cit.* 163.

<sup>77</sup> Rothwell, 1992, *op. cit.* 192.

<sup>78</sup> *Ibid.* 192.



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- <sup>79</sup> Rhodes James, R. Anthony Eden. (London: Weidenfeld & Nicholson, London, 1986). 418.
- <sup>80</sup> Hansen, 2000, op. cit. 74.
- <sup>81</sup> Lamb, 1995, op. cit. 416.
- <sup>82</sup> TNA: CAB/128/30/309, 'Conclusions of a Meeting of the Cabinet', 20 November 1956.
- <sup>83</sup> TNA: CAB/128/31/57, 'Conclusions of a Meeting of the Cabinet', 25 July 1957.
- <sup>84</sup> Blake, 2011, op. cit. 278.
- <sup>85</sup> Ibid. 278.
- <sup>86</sup> Ford, 2007, op. cit. 241.
- <sup>87</sup> TNA: CAB/129/93/29, 'Commonwealth immigrants: Memorandum by the Lord President of the Council', 20 June 1958.
- <sup>88</sup> Hansen, 2000, op. cit. 17.
- <sup>89</sup> Ibid. 14.
- <sup>90</sup> Blake, 2011, op. cit. 281.
- <sup>91</sup> Hansen, 2000, op. cit. 88.
- <sup>92</sup> Ibid. 81.
- <sup>93</sup> Layton-Henry, 1994, op. cit. 39.
- <sup>94</sup> Ibid. 40. and Hansen, 2000, op. cit. 82-83.
- <sup>95</sup> Layton-Henry, 1994, op. cit. 38.
- <sup>96</sup> Gilmour, 1998, op. cit. 163.
- <sup>97</sup> Lamb, 1995, op. cit. 418.
- <sup>98</sup> Hansen, 2000, op. cit. 84.
- <sup>99</sup> Ibid. 82.
- <sup>100</sup> Ibid. 83.
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- <sup>107</sup> Bale, 2012, op. cit. 54.
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- <sup>109</sup> Hansen, 2000, op. cit. 93.
- <sup>110</sup> Ibid. 96. and Ford, 2007, op. cit. 132.
- <sup>111</sup> TNA: CAB/128/34/59, 'Conclusions of a Meeting of the Cabinet', 25 November 1960.
- <sup>112</sup> TNA: CAB/129/103/15, 'Coloured immigration from the Commonwealth: Memorandum by the Secretary of State for the Home Department, 15 May 1960.
- <sup>113</sup> Ibid.
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- <sup>115</sup> Hansen, 2000, op. cit. 96.
- <sup>116</sup> TNA: CAB/128/34/59, 'Conclusions of a Meeting of the Cabinet', 25 November 1960.
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- <sup>118</sup> Gilmour, 1998, op. cit. 163.
- <sup>119</sup> Ford, 2007, op. cit. 132.
- <sup>120</sup> Gilmour, 1998, op. cit. 163.
- <sup>121</sup> Macmillan, 2011, op. cit. 385. Entry dated 30 May 1961.
- <sup>122</sup> Gilmour, 1998, op. cit. 164.
- <sup>123</sup> Ibid. 164.
- <sup>124</sup> TNA: CAB/128/35/55, 'Conclusions of a Meeting of the Cabinet', 10 October 1961.
- <sup>125</sup> Ibid.
- <sup>126</sup> HC Deb 16 Nov 1961, vol 649 cols 687-819, 'Commonwealth Immigrants Bill'.
- <sup>127</sup> Hampshire, J. Citizenship and Belonging: Immigration and the Politics of Demographic Governance in Postwar Britain. (London: Palgrave Macmillan, 2005). 25. See also Commonwealth Immigrants Act 1962, c.21. Available at <http://bit.ly/2c9UZ2H> Accessed 12 October 2013.

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- <sup>132</sup> Paul, 1997, op. cit. 108; Hampshire, 2005, op. cit. 26. and Layton-Henry, 1994, op. cit. 19.
- <sup>133</sup> Paul, 1997, op. cit. 107, 109.
- <sup>134</sup> TNA: CAB/128/38/58, 'Conclusions of a Meeting of the Cabinet', 30 July 1964.
- <sup>135</sup> Ibid.
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- <sup>137</sup> Ibid. 167-168.
- <sup>138</sup> TNA: CAB/129/118/65, 'Commonwealth immigration: Memorandum by the Secretary of State for the Home Department', 3 September 1964.
- <sup>139</sup> Ibid.
- <sup>140</sup> Ibid.
- <sup>141</sup> Ford, 2007, op. cit. 132.
- <sup>142</sup> TNA: CAB/129/118/65, 'Commonwealth immigration: Memorandum by the Secretary of State for the Home Department', 3 September 1964.
- <sup>143</sup> Ford, 2007, op. cit. 132.
- <sup>144</sup> See Hansen, 2000, op. cit. 35.
- <sup>145</sup> Bale, 2012, op. cit. 69.
- <sup>146</sup> Hansen, 2000, op. cit. 19.
- <sup>147</sup> Conservative Party, The. *The Conservative Party General Election Manifesto 1955*. 1955. [online] <http://bit.ly/1qL9m3M> Accessed 4 June 2014.
- <sup>148</sup> See Hansen, 2000, op. cit. chapters 1 and 2.
- <sup>149</sup> See Hansen, 2000, op. cit. chapter 1 and see also Ford, 1997, op. cit. chapter 6.
- <sup>150</sup> TNA: CAB/128/28/3, 'Conclusions of a Meeting of the Cabinet', 13 January 1955.

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<sup>151</sup> TNA: CAB/128/29/39, 'Conclusions of a Meeting of the Cabinet', 3 Nov 1955.

<sup>152</sup> Bale, 2012, op. cit. 98.

<sup>153</sup> Hansen, 2000, op. cit. 92.

<sup>154</sup> Gilmour, 1998, op. cit. 31.

<sup>155</sup> Cited in Bale, 2012, op. cit. 70.

<sup>156</sup> See Roberts, A. 'Churchill, Race and the "Magpie Society"'. *Eminent Churchillians*. (London: Weidenfeld & Nicolson, 1994). 211-241.

<sup>157</sup> Cited in Bale, 2012, op. cit. 39.

<sup>158</sup> Bale, 2012, op. cit. 40.

<sup>159</sup> Hansen, 2000, op. cit. 35.

<sup>160</sup> Gilmour, 1998, op. cit. 79

<sup>161</sup> See Table 2.

<sup>162</sup> TNA: CAB 128/27/78, 'Conclusions of a Meeting of the Cabinet', 24 Nov 1954.

<sup>163</sup> Hansen, 2000, op. cit. 71.

<sup>164</sup> *Ibid.* 72.

<sup>165</sup> Gilmour, 1998, op. cit. 79-80.

<sup>166</sup> *Ibid.* 79-80.

<sup>167</sup> TNA: CAB/129/66/44, 'Immigration of coloured people: Memorandum by the Secretary of State for the Home Department and Minister for Welsh Affairs', 9 March 1954.

<sup>168</sup> TNA: CAB/129/72/4, 'Colonial immigrants: Memorandum by the Secretary of State for the Home Department and Minister for Welsh Affairs', 22 Nov 1954.

<sup>169</sup> Ford, 2007, op. cit, 240-247 and Hansen, 2000, op. cit. 17.

<sup>170</sup> Hansen, 2000, op. cit.17.

<sup>171</sup> Ford, 2007, op. cit. 241.

<sup>172</sup> Hansen, 2000, op. cit. 68.

<sup>173</sup> *Ibid.* 17.

<sup>174</sup> *Ibid.* 86.

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<sup>175</sup> Lamb, R. 1995, op. cit. 416. and Rothwell, V. 1992, op. cit. 191.

<sup>176</sup> Carlton, D. 1981. 375.

<sup>177</sup> Blake, R. 2011, op. cit. 274.

<sup>178</sup> Bale, 2012, op. cit. 53.

<sup>179</sup> Ibid. 78.

<sup>180</sup> Macmillan, 2011, op. cit. 10 Jan 1962.

<sup>181</sup> Horne, A. 1989, op. cit. 422.

<sup>182</sup> Bale, 2012, op. cit. 79.

<sup>183</sup> Rothwell, V. 1992, op. cit. 192.

<sup>184</sup> TNA: CAB/195/14/12, notes from a meeting of the Cabinet on 3 Nov 1955.

<sup>185</sup> Ibid.

<sup>186</sup> TNA: CAB/129/78/30, 'Colonial immigrants: Note by the Prime Minister', 23 Nov 1955.

<sup>187</sup> Ibid.

<sup>188</sup> Hansen, 2000, op. cit. 89.

<sup>189</sup> Butler and Rose, 1960, op. cit. 71.

<sup>190</sup> TNA: CAB/128/31/57, 'Conclusions of a Meeting of the Cabinet', 25 July 1957.

<sup>191</sup> Ibid.

<sup>192</sup> Gilmour, 1998, op. cit. 164.

<sup>193</sup> Ibid. 54.

<sup>194</sup> Interview with Ken Clarke, 20 January 2015.

<sup>195</sup> Ibid.

<sup>196</sup> Sampson, A. Macmillan: A Study in Ambiguity. (London: Allen Lane, 1967). 181.

<sup>197</sup> Macmillan, H. 'Wind of Change' speech, made to the South African Parliament, 3 Feb 1960. [online] <http://abt.cm/Mtqc30> Accessed 4 June 2014.

<sup>198</sup> Ibid. 181.

<sup>199</sup> Blake, 2011, op. cit. 285.

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<sup>200</sup> Hansen, 2000, op. cit. 14.

<sup>201</sup> Bale, 2012, op. cit. 67.

<sup>202</sup> Hansen, 2000, op. cit. 92.

<sup>203</sup> From Bale, 2012, op. cit. 96.

<sup>204</sup> Ibid. 96.

<sup>205</sup> Ford, 2007, op. cit. 24.

## 1964 to 1979

[W]e didn't have a policy and we had to make one.<sup>1</sup>

– Douglas Hurd

This chapter will seek to explain the making of Conservative immigration policy from 1964 to 1979. It will first examine the key developments in the Tories' approach to managing immigration. It will then explain the Party's policy-making using the theoretical framework expanded on previously. Over five general elections and under three different leaders, the Conservatives struggled with the issue as it exposed – and worsened – fault lines within the Party, before eventually settling on a severe tightening of immigration control. A contemporary report on the election of 1965 dismissed the arguments used by the minority in favour of further immigration controls as 'based more on fear than on facts'.<sup>2</sup> Whether this is an unfair comment or not is irrelevant: these arguments would, in time, become widely accepted. By the end of this period, the Conservative Party had moved from a quiet recognition that it would be best to keep the immigration issue out of the headlines (on the grounds that nothing would be served by destabilising community relations) to an understanding that the issue had to be dealt with and there was no sense in not making use of the matter.

In the mid-1960s, the Conservative Party had no substantial policy on immigration or immigrants. In government just a few years previously, it had passed the Commonwealth Immigrants Act of 1962 – legislation which, senior Party figures hoped, would put to rest demands for controls on immigration. At the time, some within the parliamentary party had

expressed concerns that the bill was too restrictionist: it had provoked ‘strong emotional opposition and internal strife’ within the Party.<sup>3</sup> Within a few years, however, a handful of Tory MPs who believed the 1962 Act to be far too *modest* were calling for further action. By the early 1970s, there were more Conservative parliamentarians with the same mindset, and they were supported by the constituency associations, which put forward dozens of resolutions on immigration and ethnicity to Party conference each year.<sup>4</sup> Towards the end of this period, the Conservative leadership was less hesitant about putting forward a tougher immigration policy. Concerns about exploiting the issue and exacerbating community tensions continued, but these concerns were no longer so widespread within the Conservative Party, and were limited to Tories of the liberal, patrician ‘old guard’.

During this period, there was a notable shift within the Conservative Party in attitudes towards immigration controls, which occurred at the level of the leadership and the parliamentary party as well as ordinary members and supporters. The emergence of a ‘Powellite’ take on immigration disarmed senior Conservative figures in the late 1960s, but their outrage did not prevent the restrictionist viewpoint becoming commonplace among backbenchers and constituency associations. Meanwhile, those Tories with a patrician-like loyalty to Empire and then Commonwealth were being replaced by a different kind of politician: one who was not burdened by such emotional and moral attachments, but who was instead looking to Europe – with interest or with scepticism.

It would be misleading to argue, however, that there were two clearly delineated factions within the Conservative Party that were in opposition to each other. Nor was there a smooth transition for the Party as particular approaches to immigration policy became more or less acceptable. While younger and new parliamentary candidates in the 1960s were aware of the pressures of immigration within their constituencies, few expected the issue to become one of national concern and fewer still had developed a comprehensive take on it.<sup>5</sup> A Gallup poll from November 1964 found just ten per cent of the public believed there to be a ‘colour problem’ (often used as a short-hand for immigration) in their area.<sup>6</sup> The Conservative leadership certainly did not believe immigration to be an issue on which it would be worth taking a distinctive position that differentiated it from the main opposition party. Within a



few years, however, the Party found itself divided as to how best to manage the issue of immigration. In one case, senior Tory figures expressed opposition to the Labour government's Commonwealth Immigrants Bill on the grounds that it was (for some) too restrictive and (for others) too liberal. The Conservative leadership recognised the divisions, and, while it supported Labour's bill, decided not to impose a whip on the issue, and to allow Shadow Cabinet members to abstain.<sup>7</sup>

Even the related issue of race discrimination did not allow the Party to come together. Instead, the Party was split three ways, with some MPs wholeheartedly in favour of the government's measures, others sceptical of the need for the legislation and uncertain of the timing, and a sizeable body downright opposed: there were proponents of each of these points of view within the Shadow Cabinet. While the Shadow Cabinet did put forward an amendment opposing what became the 1968 Race Relations Act, it did eventually decide to vote in favour at the third reading, on the grounds that to do otherwise might damage the Party's reputation. By this point, senior Conservatives were well aware that a perceived opposition to 'coloured' people might have negative electoral implications.

In later years, in order to better manage these opposing factions within the Conservative Party, the leadership attempted to put together a compromise of sorts. While seeking to dissociate themselves from the more extreme views of some members of the parliamentary party, senior Party figures did try to respond to the more restrictionist views that were gaining ground, while simultaneously trying to keep the more liberal or 'old-fashioned' Tories content by, for example, supporting racial discrimination legislation. Keeping competing wings of the Party content was no simple task, and occasionally, these factions found common ground and were able to frustrate the leadership. This was the case in 1972, when the Conservative government introduced legislation on new immigration rules; the bill was initially defeated when MPs opposed to Conservative policy (some, on the grounds that it discriminated against Old Commonwealth citizens), brought onside those parliamentarians who were sceptical of the EEC and the free movement of European workers.

## 5.1 The development of Conservative immigration policy

### 1964 to 1966

In 1964, after 13 years of uninterrupted power, the Conservatives lost office. Their defeat, which many Tories had expected, was partly down to a shift in support to the Liberals.<sup>8</sup> Conservative leader Alec Douglas-Home later wrote that, if it had not been for the Party's divisions over his leadership, the election might have been won.<sup>9</sup> Two members of Macmillan's final cabinet, themselves influential figures within the Party, did not support his leadership.<sup>10</sup> According to Douglas-Home, the refusal of Ian Macleod and Enoch Powell to serve under him likely lost the Tories votes.<sup>11</sup>

The Tories' 1964 manifesto had, for the first time, made an explicit reference to controlling immigration to 'our crowded country'.<sup>12</sup> There was also a comment on the 1962 Commonwealth Immigrants Act, 'which we passed [...] against bitter Labour Party opposition'.<sup>13</sup> Despite the emphasis on immigration in the manifesto, the issue was not significant during the campaign, having come to the fore very occasionally.<sup>14</sup> In one notable example at a Yorkshire Conservatives rally, Douglas-Home claimed that 300,000 immigrants would have entered the UK if it had not been for his government's passing the 1962 legislation.<sup>15</sup> This intervention did not, however, signal wider exploitation of the immigration issue.<sup>16</sup> Douglas-Home, who found opposition to be a 'frustrating business', resolved to hold back from criticising the government for the sake of it, believing that 'indiscriminate bludgeoning is boring to the great majority of thoughtful electors'.<sup>17</sup> His MPs were unsatisfied by this and Home was subject to a constant pressure to employ a more dynamic approach for the remainder of his leadership.<sup>18</sup>

The matter of immigration had little influence on the Conservatives' performance during the general election. Writing in 1964, Michael Steed concludes there was 'no evidence of any general effects of immigration'.<sup>19</sup> The Party made no mention of immigration other than in passing and there was little to distinguish its immigration policy from that of its main competitor. Using opinion polling data, Rob Ford has argued that during this time, the

majority of voters did not perceive a great deal of difference between the parties' stance on immigration.<sup>20</sup>

It is worth noting, however, that the Conservative campaign in one constituency did push the immigration issue up the agenda. In Smethwick, a town in the West Midlands which had received many immigrants from the Commonwealth in the years following World War Two, the Conservative candidate campaigned on an overtly anti-immigration platform with the slogan 'if you want a nigger for a neighbour, vote Liberal or Labour'. He referred to Smethwick's future being decided by 'voters in their turbans and saris'.<sup>21</sup> Hansen has argued that the outcome of the 1964 election – in which the Conservative candidate, Peter Griffiths, took the seat – provided an 'argument in favour of immigration restrictions'.<sup>22</sup> The huge support for a xenophobic campaign unsettled many Tories, although Douglas-Home (and others) did avoid direct condemnation of the Conservative campaign in Smethwick.<sup>23</sup>

The Smethwick campaign brought to the fore tensions between the relatively liberal leadership and their more socially conservative supporters on the ground. Senior Conservative parliamentarians were so nervous that several refused invitations to speak in the constituency.<sup>24</sup> And yet, this may well have helped the candidate secure his seat, as 'the Conservative hierarchy's displeasure only served to gain Mr Griffiths more support in the local organisation'.<sup>25</sup> However, despite this seemingly noticeable gap between the Conservative leadership and their supporters, the Party's position on immigration was, in fact, very close to that of the median voter.<sup>26</sup> A Gallup poll in 1964 found that 30 per cent of voters thought the Conservatives had the better policy on immigration, as against 20 per cent for Labour.<sup>27</sup> After all, the Tories 'instinctively viewed themselves as the party that would not lose from immigration', given their previous legislative efforts and stance on the issue.<sup>28</sup> Despite the Conservative leadership putting in little effort to make use of the immigration issue – believing it to be a local not a national concern and not a particularly seemly one at that – the Party was, in some sense, benefiting from the situation.<sup>29</sup>

It might be reasonable to assume that, having lost an election, the Conservatives would, in opposition, seek to emphasise different policies, if not re-work them entirely. In an effort to

show that the Party could ‘keep up with the times’, there was a thorough re-evaluation of Conservative policy.<sup>30</sup> However, immigration policy received little attention from the Party as it was not, at this time, perceived to be a national issue.<sup>31</sup> And yet, while the Conservative leadership chose to focus their efforts on other issues, there were signs that immigration to the UK would shortly become a matter of great interest to voters.

Within the Party, some of the first to realise that, if immigration was not yet, truly, a national concern, it soon would be, were its parliamentary candidates, particularly those standing in areas that were receiving higher levels of immigrants. One candidate, David Waddington, who would later become immigration minister and then Home Secretary, found that immigration was a ‘live issue’ in his constituency of Nelson and Colne, in Lancashire, because it was receiving many Pakistani immigrants.<sup>32</sup> It was then that Waddington saw ‘the strain that large[-scale] immigration could put on a community’.<sup>33</sup>

The one exception to the quiet consensus was an interjection from Douglas-Home in early 1965, who, as Leader of the Opposition, put forward four restrictionist proposals at a meeting of the Party’s Central Council in Westminster. He called for a reduction in the level of immigration, the repatriation of all illegal immigrants and more data on the dependants of immigrants.<sup>34</sup> Hansen argues that Douglas-Home’s intervention lent momentum and credence to those within the Conservative Party pushing for a tougher approach to immigration.<sup>35</sup> This was problematic for the Conservative leadership, which was wary of the possibility of immigration splitting the Party along existing factions. The introduction of a Race Relations Bill in April 1965 did not help matters, as the parliamentary party was divided between those who professed support for the measures and those, such as Enoch Powell and Cyril Osborne, who expressed total opposition to the measures on the grounds that legislation was damaging and an unnecessary intervention.<sup>36</sup> As a result, the leadership proceeded cautiously: frontbenchers managed to secure a compromise motion that condemned racial discrimination, but which still opposed the bill because of its criminalising of discrimination.<sup>37</sup> Importantly, perhaps, the Conservatives experienced a change in personnel – with the replacement of Edward Boyle, seen as a ‘liberal enthusiast for race relations’, with Peter Thorneycroft as spokesman for Home Affairs.<sup>38</sup>

Perhaps more important with regard to how the Conservative Party handled immigration was the attitude of the leadership. Douglas-Home was not particularly concerned by the issue. Nor was Heath, who took on the leadership of the Party in late July 1965; he did little to change the direction or tone of policy and he made few changes to the Shadow Cabinet. Under him, at least initially, there was no ‘cull of the old guard’.<sup>39</sup> In fact, the Party at this time saw little reason to make use of immigration as a party-political issue. Senior Conservative figures were pleased to work *with* – not against – their Labour counterparts. When in 1965, Shadow Home Secretary Peter Thorneycroft initiated a debate on immigration, ‘the government struck a conciliatory tone that appeared to be reciprocated by the Opposition’, while the policy of retaining controls on immigration while encouraging the integration of immigrants was said to have ‘appealed to members on both sides’.<sup>40</sup>

By mid-1965, the possibility of using the immigration issue for electoral gain had become a topic of discussion within the Party at the highest levels. A Policy Group on Immigration released an interim report putting forward ‘detailed proposals for integratory measures, including hostels for unmarried immigrants and additional staff for schools and a substantial increase in the grant to the National Committee for Commonwealth Immigrants (a body encouraging the integration of immigrants)’.<sup>41</sup> The media seized upon one suggestion within the report that ‘the numbers entering do not exceed those returning’, which was branded the ‘one in, one out’ proposal.<sup>42</sup> This proposal came to dominate discussion on the topic.

However, this ‘tinker[ing] with the possibility of using immigration in party competition’ did not last long.<sup>43</sup> Shadow Cabinet discussions revealed fears that too restrictionist a line might ‘offend the middle vote’ in the electorate.<sup>44</sup> In private correspondence between Heath and Selwyn Lloyd, the latter expressed his fear that Labour might well adopt the Conservatives’ more restrictive stance – which would, presumably, have undone any potential advantage, and left the Tories with little space to go. Regardless, the proposal to use immigration as an electoral issue was no longer deemed appropriate. The proposals within the report were ‘quietly dropped’ and the Party conference of 1965 was a ‘moderate affair concentrating on the favourable aspects of integration’.<sup>45</sup>

The explanation for the Conservatives' retreat on the issue is that, as Lloyd had warned, Labour had caught sight of the Tory plan and had moved their own policy in a more restrictionist direction. In August 1965, the government published a White Paper titled 'Immigration from the Commonwealth', which was portrayed as a balanced set of proposals that would bring in further immigration controls while simultaneously providing greater funding for areas that had experienced high levels of immigration. In media coverage, the integration measures were overshadowed by the restrictionist policy, which modified the existing system of permits and brought in new powers for the authorities.

Labour's plan had worked: by taking on more hard-line policies, the Tories had been left with little room in which to distinguish themselves on immigration. Admittedly, there had been damage done to relations with some of the Labour Party's own supporters (those in the media had responded with 'disappointment and hostility') – but it had done its bit to demolish the Tory lead on the issue.<sup>46</sup> The White Paper was a 'clear success with the voters and the Opposition'; 87 per cent of the public were said to endorse it.<sup>47</sup> Labour politician Richard Crossman acknowledged that the Labour government had carefully and deliberately planned for this, noting that 'Politically, fear of immigration is the most powerful undertow today'.<sup>48</sup> He argued: 'We felt we had to out-trump the Tories by doing what they would have done and so transforming their policy into a bipartisan policy'.<sup>49</sup>

With the Conservatives forced to revert to treating immigration as a cross-party matter, the Conservative Policy Group removed the controversial 'one in, one out' proposal and resolved to minimise any discussion of new restrictionist measures.<sup>50</sup> By this point, there was little difference between the two parties on the issue of immigration – Labour had neutralised the Tories' lead to such an extent that the Tories' 'Policy Document: Breakthrough for Britain in Sept 1965' 'could have been written by either party', at least with regard to immigration.<sup>51</sup> Consequently, the Conservative offering to the public at the 1966 election was little different from that of the Labour Party.

## 1966 to 1970

In 1966, the Conservatives suffered their second successive electoral defeat. On this occasion, they lost not by four seats but by over a hundred. Douglas-Home's strategy of 'principled opposition' and 'high-minded tactics' had left Tory voters frustrated and Heath's taking on the leadership had done little to change this.<sup>52</sup> Immigration did not play a prominent role in the election campaigns of either of the two main parties, and the matter went 'virtually unmentioned'.<sup>53</sup> The Conservative manifesto did set out six points to 'deal with the Problem of Immigration', but immigration was not one of the Party's five electoral themes.<sup>54</sup> The issue was considered to be of no importance, in part because it was believed that it could no longer sway votes.<sup>55</sup> A contemporary observer argued that immigration had had a limited impact on the electorate and was, instead, a preoccupation of the elites, given that 'immigration seems to have affected pre-election commentators much more than voters'.<sup>56</sup>

It would be wrong, however, to say that immigration was of no concern for the Conservatives during this parliamentary period. On the contrary, within a year or so of the 1966 election, several unexpected incidents, which were coupled with the continued entry to the UK of new migrants, ensured that the issue was forced to the top of the agenda. The Tories were compelled to quickly devise a response. In 1967, the Director of the Conservative Research Department warned the Shadow Cabinet that there would likely soon be 'renewed concern about coloured problems'.<sup>57</sup> If that were to occur, he suggested, 'we will probably at that time want to draw attention to the continuing rate of immigration and call for further restriction'.<sup>58</sup> Chief Whip William Whitelaw foresaw that increasing issues with immigration would mean 'dangers ahead' for the Conservative Party.<sup>59</sup>

The second-wave of immigration occurred from the mid-late 1960s until the 1970s. Many of these immigrants – unlike some of their predecessors – began to establish roots and settle down in their newly adopted country, lending their presence a new kind of permanence. Some were Asians who, having faced persistent hostility and persecution in Kenya (which had previously been under British rule in the colonial era), were then forced to leave and many turned to the UK. They were not subject to the 1962 CIA Act as their passports were issued

by the UK High Commission, and not, importantly, a colonial government.<sup>60</sup> By early 1967, some 2,000 Kenyan Asians were arriving in the UK every month.<sup>61</sup> *The Times* reported that in one 24-hour period, some 500 Kenyan Asians had entered the UK.<sup>62</sup> The former Conservative Secretary of State for the Colonies, Duncan Sandys, urged action and stated that he would introduce a private member's bill to dramatically decrease the level of immigration to the UK if the government did not do something; his motion along the same lines was signed by some 90 Conservative MPs.<sup>63</sup> There was, by this time, according to Whitelaw, 'a considerable body of opinion' which believed that the 1962 controls were less than adequate.<sup>64</sup>

By mid-February, it was reported by the press that the Labour government was *considering* toughening up immigration legislation, in light of the continuing influx of Kenyan Asians to the UK.<sup>65</sup> Wilson's Labour government were quick to put together a restrictive bill that would curb the rights of Asians to enter the UK by bringing in a new prerequisite for entry.<sup>66</sup> Under what became the Commonwealth Immigrants Act of 1968, those who were exempt from immigration controls would now need to possess what was referred to as a 'qualifying connection' to the UK, that is, they, or their children or grandchildren would need to have been born, naturalised or adopted in the UK.<sup>67</sup> Few Kenyan Asians could show such a connection. In short, the legislation distinguished between those who 'belonged' to the UK, and those who did not.

The Conservatives, as Her Majesty's Opposition, could only watch from the side-lines: opposition in the Commons was 'always frustrating'.<sup>68</sup> Yet, it was acknowledged by some that the Party must do *something*. According to Edward Heath, immigration was a 'new challenge to the whole philosophy of One Nation [...] we could not afford to shirk it'.<sup>69</sup> In response to what one broadsheet called 'mounting pressure inside the Tory Party and in the country', Heath did go so far as to release a statement on immigration.<sup>70</sup> In what was perceived as an attempt to satiate those of his backbenchers who were demanding greater controls while avoiding potentially difficult legislation, Heath suggested that the government should bring in a system of phased entry for immigrants. This would mean that Kenyan Asians would not have their right to entry restricted, but that their entry would be controlled



‘to a level that suits not the immigrants but Britain’.<sup>71</sup> In effect, they would continue to be citizens, but citizens who did not belong to the UK, a distinction which would allow the government to prevent the entry of ‘coloured’ immigrants without explicitly legislating for this.<sup>72</sup>

The Conservatives’ proposal was not taken up by the government; Heath’s party was left in a divided and bitter state as to how to manage the issue of immigration. The Shadow Cabinet was broadly in favour of a *higher* annual quota ‘than the 1,500 immigrants proposed by Mr Callaghan for all the overseas holders of British passports who come in the special category’.<sup>73</sup> Following what the press called an ‘unhappy meeting’ and in a move that was not unanimous, the Shadow Cabinet agreed to support the government bill, but not to impose a whip on their Conservative backbenchers, many of whom, it was reported, were considering voting against.<sup>74</sup> Senior Tories were well aware that immigration was a divisive issue for the Party, and tried to limit its impact. In fact, it was decided that even members of the Shadow Cabinet would be free to abstain on the issue.<sup>75</sup> Shadow Chancellor Iain Macleod was one of a dozen Conservative MPs who went against the Party line by voting against the second reading of the Commonwealth Immigrants Bill.<sup>76</sup> Macleod’s stance marked him out as a liberal, but there were more factions within the parliamentary party; Heath acknowledged that there were ‘those in the party, even on the front bench, who wanted to harness racist support’.<sup>77</sup>

Within the Conservative Shadow Cabinet, some members did their bit to make the legislation *more* liberal, with concerns being raised about the *impact on immigrants* of decisions by immigration officers. Frontbenchers were tasked to explain that the Party could more easily support the Bill if it included a mechanism for appeal.<sup>78</sup> Such concerns were likely to have been at the forefront of the mind of future leader Margaret Thatcher when she wrote that the Conservatives of the 1960s were, on issues such as immigration, ‘beginning to lose touch with the instinct and aspirations of ordinary conservative-minded people’.<sup>79</sup>

Unfortunately for the Conservatives, they could not exert much pressure as an opposition – and a divided one at that. The government paid next to no attention to what a contemporary

press report referred to as ‘the whiffing ambiguities of the Shadow Cabinet’.<sup>80</sup> The legislation, despite its very substance marking a break with the obligations of a (former) British government, was passed.<sup>81</sup> The Commonwealth Immigrants Act of 1968, as it became known, did not only have profound consequences for would-be immigrants: it also ensured that the Conservative leadership would struggle to keep the immigration issue out of political debate. The passing of the bill contributed to the erosion of the bipartisan consensus which had previously kept discussion of immigration out of sight.

With the Labour government having rushed through severely restrictive legislation in early 1968, the Conservatives in opposition had little room for policy development.<sup>82</sup> It was the government’s proposal to introduce race relations measures (in response to criticism of the legislation) which *did* offer an opportunity for the Tories to make a stand. However, there were ‘deep divisions of view’ within the Conservative Party regarding race relations.<sup>83</sup> The Party was divided on the bill three ways, with the bulk of the Party ‘unconvinced either of its necessity or its timeliness’.<sup>84</sup> There were also, according to Thatcher, ‘many on the right’ who were strongly opposed to the concept of legislating for race relations, on the grounds that it might lessen incentives for immigrants to integrate into British society.<sup>85</sup> Shadow Home Secretary Lord Hailsham, while expressing his distaste for discrimination, which, if encouraged, would ‘certainly incur great odium abroad’, believed that legislation would worsen race relations.<sup>86</sup> However, there were also Conservatives who were critical of the Bill, but for quite different reasons: Education Secretary Edward Boyle, who was a member of the Council of the Institute of Race Relations from 1964 to 1972, explained his criticism on the grounds that the Bill ‘needs strengthening [rather] than because I want to see it emasculated’.<sup>87</sup>

Hailsham first recommended that the Party abstain on the second reading of the Bill, though he feared that ‘opponents of the Bill in our ranks’ would regard this as a cowardly course of action.<sup>88</sup> After discussion, the Shadow Cabinet agreed, instead, to put forward a reasoned amendment, though Hailsham warned that this would ‘emphasise rather than diminish the dissension in our ranks’.<sup>89</sup> Following the meeting at which the amendment was drafted, Whitelaw recalls ‘hoping against hope that as a compromise it would keep some semblance

of party unity'.<sup>90</sup> The draft amendment rejected the bill on the grounds that, while racial discrimination should be condemned, the bill would not lead to racial harmony.<sup>91</sup>

The measure was viewed as a yielding to right-wing pressure, with the Shadow Cabinet noting that 'our backbenchers were very hostile to the Bill'.<sup>92</sup> Key members of the liberal faction, among them, Keith Joseph, Edward Boyle and Robert Carr did not agree to support the amendment until they had seen its exact wording; Boyle and Joseph, along with over 40 backbenchers, opposed the Conservative line.<sup>93</sup> Heath had made it clear that there would be no whip on the matter and that 'if any member of the Shadow Cabinet felt the Race Relations Bill to be a matter of conscience and did not vote for the Conservative amendment, he would quite understand'.<sup>94</sup> The Tories did not do well from this episode; it was perceived that, in an effort to maintain party unity, they had come up with 'an official attitude which seem[ed] vague to the point of evasion'.<sup>95</sup> (The Shadow Cabinet would later decide not to oppose the bill on its third reading, after the Home Secretary agreed to Conservative concessions and the Shadow Cabinet reached the view that if they did not, the Party's reputation might well be harmed.<sup>96</sup> Willie Whitelaw as Chief Whip later confided in colleagues that 'there was a feeling that the Party had been going too far Right on too many issues'.<sup>97</sup>)

The difficulties over race relations legislation may well have been the issue that pulled the Shadow Cabinet member Enoch Powell into the debate.<sup>98</sup> Powell was said to have made no contribution during the Shadow Cabinet discussion on how to respond to the race relations bill.<sup>99</sup> This made his later speech all the more surprising to his colleagues. Powell chose to make his intervention shortly after the well-publicised passing of the Commonwealth Immigrants Act 1968, which was designed explicitly to toughen up UK immigration controls, and at a time when public hostility towards immigrants was mounting. In April 1968, in a speech to Party activists at the West Midlands Area Conservative Political Centre, he forecast 'rivers of blood' if immigration was not severely reduced.<sup>100</sup> He directed his attention to the existing immigration regime and demanded an end to all immigrant settlement from the Commonwealth. The speech was highly inflammatory. Powell could, however, claim that he was 'simply articulating and explaining official policy': he had structured the text around

three Conservative policies on immigration, which then included tough immigration control and voluntary repatriation.<sup>101</sup>

According to colleagues, Edward Heath was said to be enraged, and his anger was echoed by other members of the Shadow Cabinet, of whom none were said to be sympathetic to Powell.<sup>102</sup> Margaret Thatcher, however, later wrote that she ‘strongly sympathised with the gravamen of his argument about the scale of New Commonwealth immigration into Britain [...] [she] too thought this threatened not just public order but also the way of life of some communities’.<sup>103</sup> ‘Harsh rhetoric’, Heath later wrote, was not only ‘distasteful in itself, [but] was bound to increase tensions’.<sup>104</sup> Powell, who was then the Conservative Shadow Secretary of Defence, was dismissed from his post. Thatcher had advised Heath not to do so, believing it best to let the matter die down.<sup>105</sup> Despite Heath’s swift action, Powell’s popularity with the public – and the frequent expression of his views – meant that his views on immigration became associated with that of the Conservative Party.<sup>106</sup> This occurred despite the considerable lengths that many within the Shadow Cabinet went to ensure that this was not the case: despite Heath and his colleagues trying to disassociate themselves from Powell, the latter ‘repeatedly identified himself as a Conservative, and urged his supporters to vote for the Conservative party.’<sup>107</sup>

By dismissing Enoch Powell from the Shadow Cabinet, Heath signalled an unwillingness to exploit the immigration issue. Heath’s decision was met with ‘extensive and often bitter hostility’, to the extent that Conservative Central Office was ‘flooded with letters in praise of Powell and in condemnation of Heath; many were obscene and some contained excrement’.<sup>108</sup> Such views were not limited to a vocal minority – some 69 per cent of voters were found to disagree with Heath’s decision, although Heath continued to believe that the sacking had ‘saved our position with the majority of our people’.<sup>109</sup> Thatcher believed Powell’s departure to be a ‘tragedy’, as it ‘prevented our gaining the political credit for our policy of controlling immigration more strictly’.<sup>110</sup> She was wrong – the Conservatives were ultimately rewarded, even if Heath did believe that far right support for the Tories was ‘because such people were blindly following Powell, instead of listening to us’.<sup>111</sup>

The electorate's response to Powell's dismissal, as well as 'the maverick politician's continuing popularity, and his campaign against immigration encouraged Heath, who, while moderate, felt no particular post-imperial obligation to Commonwealth citizens, to harden his position'.<sup>112</sup> Powell was at this point the most popular, and one of the best known, figures within the Conservative Party. Heath acknowledged that the public support for Powell's views would require greater restrictionism in Conservative policy.<sup>113</sup> This was not a whole-hearted conversion at the top of the Tory Party: 'Reluctantly, therefore, and without appearing to embrace his views, Heath was bound to trim his sails over the next two years to catch the Powellite wind'.<sup>114</sup>

In an effort to counter accusations that the Conservative Party was losing momentum on the issue of immigration, Heath made a speech in Walsall, West Midlands, on 25 January 1969 in which he promised to further tighten up controls.<sup>115</sup> (In the same month, Keith Joseph – not known for having a hard-line view on the issue – had given an interview in which he referred to Powell as having 'spoken for England' by pointing out 'a problem where popular demand was violently against what the politicians were doing'.<sup>116</sup>) Heath's speech, given the extent of its proposals, was seen by some immigration organisations as something of an implicit adoption of the Powellian view.<sup>117</sup> He referred to a 'public fear that politicians were unable to control immigration' and proposed four further restrictionist measures, which included removing the right of Commonwealth citizens to permanent settlement in the UK and proposing that Commonwealth citizens only receive work permits for specific jobs in locations where there was a shortage.<sup>118</sup>

Heath's approach was somewhat disingenuous. Up to the end of this period, he continued trying to distance himself from Powell's rhetoric while, simultaneously, 'identifying himself [and his party] more closely with his basic position'.<sup>119</sup> Thus, in the run-up to the general election, the Tories' take on immigration policy was much more restrictionist than it had ever been before.<sup>120</sup> And yet the Conservative leadership continued to attempt some kind of impossible compromise in order to avoid being seen to be yielding to either the right-wing of the Party or looking out of touch on the issue.

## 1970 to 1974

The 1970 general election was decisively (and unexpectedly) won by the Conservative Party, and – according to Hansen, writing in the late 1990s, was ‘the only one, before or since, in which immigration and race may have played a significant role’.<sup>121</sup> The Party’s manifesto proposed what was then a new and ‘extremely firm’ line on controlling immigration, and here, for the first time, was a public commitment to removing the special status of Commonwealth immigrants, who would no longer be regarded differently from those immigrants from any other country.<sup>122</sup> The Party’s success was partly down to public (mis)perceptions: even two years after Enoch Powell’s speech, the Conservatives benefited from his association with them, to the extent that perceptions about Tory immigration policy differed quite significantly from policy in reality.

Research based on polling has found that the electorate of 1970 believed the Conservative position on immigration to be much more restrictive than it was. Some 36 per cent ‘erroneously believ[ed] the party proposed to completely halt immigration settlement’, while 22 per cent thought that the Conservatives would introduce a repatriation programme for settled immigrants – neither of which was true.<sup>123</sup> Such a misunderstanding would have had little effect had it not been for the fact that immigration was an issue of concern for many.<sup>124</sup> With the matter possessing a high degree of salience, the public were more likely to reward whichever party would offer the more restrictive choice. Fortunately for the Conservatives – and despite extensive criticism of Heath and his policies, Powell did, late on in the 1970 election campaign, come out in support of the Party.<sup>125</sup> Voters regarded the Conservative Party over Labour as more likely to implement the immigration restrictions they wanted by a margin of nearly 15 to one.<sup>126</sup>

The first undertaking of the Conservative government was to choose the mechanism on which it would base its new system of immigration control.<sup>127</sup> However, a totally new system of control was ruled out. Ministers believed that replacing the 1948 legislation with something akin to a new British citizenship scheme would be ‘excessively complicated and costly’.<sup>128</sup> Furthermore, a government memo from the time reveals that such a move would likely ‘incur

the hostility of Commonwealth governments'.<sup>129</sup> International relations, that is maintaining cordial relations with countries for diplomatic and economic reasons, and which had been of little concern in opposition, became increasingly important and acted as a deterrent to redefining citizenship wholeheartedly. Little wonder then that immigration was, at this point in time, according to Heath, 'the most intractable problem of all'.<sup>130</sup>

The Conservative leadership settled on 'patriality' – the notion of a familial connection to the UK – as a means for 'distinguishing between Britons and those denied entry rights without recourse to a new definition of British citizenship'.<sup>131</sup> Those from the New Commonwealth were less likely to have a grandparent or parent who had been born in the UK – and would not, therefore be exempt from control. Hansen has argued that this was deliberate: the 'patriality provisions were clearly designed to secure access for Australians, Canadians, and New Zealanders while denying it to the rest of the Commonwealth'.<sup>132</sup> Minutes from a Cabinet meeting in January 1971 reveal that ministers predicted that the measure would be seen as discriminatory, but that it was defensible in that it recognised the UK's 'unique relationships' with the Old Commonwealth countries.<sup>133</sup>

Despite this compromise of sorts, in which previous policy would not be undone because of concerns about the effort of dismantling the current system or upsetting British diplomatic relations, it was not straightforward for the Conservative Party to put the legislation through parliament. In fact, during the Commons Committee stage of the Bill, an amendment was carried which, in effect, removed the provision whereby Commonwealth citizens with UK-born grandparents would not be subject to immigration control. The clause was 'opposed by a coalition of the left (which saw it as racist) and the right (which feared an open door for persons of "mixed blood")'.<sup>134</sup> The Home Secretary, Reginald Maudling, informed his colleagues that while the omission might well 'provoke considerable resentment in Australia and New Zealand', making moves to restore the 'grandparental concessions' were 'hardly feasible' given the possibility of 'serious political opposition' which might further undo other concessions in the Bill.<sup>135</sup>

Eventually the Immigration Act of 1971 was passed, and Heath and his colleagues were hopeful that the measures ‘might settle the immigration issue once and for all’.<sup>136</sup> This was not the case: unforeseen events and postcolonial obligations conspired against the Conservatives’ pledge to restrict large-scale immigration. In 1972, the President of Uganda, Idi Amin, announced suddenly that some 70,000 Ugandan Asians would be forced to leave the country within three months. While the first response of the Tories was consistent with the election manifesto not to permit further major immigration to the UK – it was made clear that ‘the quota system [...] could not be altered’ – this stance did not last long.<sup>137</sup> Just over a week after Amin’s proclamation, the British government declared that it would accept ‘full responsibility’ for the Asian ‘Citizens of the United Kingdom and Colonies’ (CUKC), of whom approximately 50,000 held British passports.<sup>138</sup> One senior Conservative figure later referred to this as ‘one of the most courageous decisions’; ‘we were under a moral obligation to these people’.<sup>139</sup> Such sentiments did not prevent ministers focusing their efforts on encouraging other countries to take them, with the UK eventually taking some 25,000.<sup>140</sup>

It is worth noting that the legal position of the Ugandan Asians was ‘identical’ to that of the Kenyan Asians just a few years earlier: both groups of people were ‘originally controlled by the 1962 Commonwealth Act, were released from their restrictions through the independence process and were placed under a new set of controls through [Home Secretary] Callaghan’s 1968 Act’.<sup>141</sup> However, Heath’s Conservatives acted very differently from the Labour government of 1968. While Wilson’s government recognized the Asians as citizens legally, yet differentiated between them and those with a close ethnic connection to the UK, Heath accepted the consequences of their citizenship – that they could not be denied entry to the UK – while making clear that the experience could not be repeated.’<sup>142</sup> It took Cabinet only five minutes to agree – unanimously – that Britain would accept the Ugandan Asians.<sup>143</sup> This was despite the ‘deep disquiet’ within the wider Party and ‘intense pressure [...] placed on us by the right wing to renege upon our [...] obligations’.<sup>144</sup>

As Hansen notes, the Conservative Party had deliberately brought in legislation in 1970-1 in order to ‘avoid a repetition of the Kenyan episode’.<sup>145</sup> The 1971 Immigration Act had lowered the status of Commonwealth citizens to those of aliens. The Tories had already tried



to prevent the entry of Asians – and yet Heath’s Conservatives took ultimate responsibility for the Ugandan Asians. The decision seems even more unlikely in light of the fact that public anxiety about immigration was high; Powell remained popular and there was ‘intense hostility to immigration among many rank-and-file Conservatives’.<sup>146</sup> There were consequences, of course, with the leadership bearing the brunt of intense criticism from the Tory right, with divisions becoming most clear at the party conference in October 1972, at which Powell moved a motion against accepting the Asians.<sup>147</sup> The right-wing anti-immigration Monday Club went so far as to organise a ‘Halt Immigration Now’ campaign within the Conservative Party.<sup>148</sup>

While the policy group process may have kept the Party from tearing itself apart, little was taken from the groups and turned into policy. On immigration at least, Heath’s Conservatives did pursue a more restrictionist direction with the introduction of new immigration rules in late 1972. While the rules contained no further restrictions, they did again put citizens of the Commonwealth on the ‘same legal footing as aliens’ and as a result those now deemed to be non-patrial Commonwealth citizens (that is, without a parent or grandparent born in the UK) could only visit the UK for a period of up to six months and required permission to work in the UK legally.<sup>149</sup>

In a shock defeat on 22 November 1972, the government lost the vote to bring in the new rules: seven Conservative backbenchers voted against the leadership, and 53 abstained. Hansen argues that the rules would likely have been approved by parliament if it had not been for an unfortunate association. The government had linked the immigration rules with new rules for European nationals, which allowed for the free movement of European workers; as a result, the scene had been set for a cross-party coalition against the government.<sup>150</sup> Simply put, MPs who were opposed to Conservative immigration policy were able to mobilise those backbenchers who were not opposed, but who had their own reservations about the EEC.<sup>151</sup> Minutes from a Cabinet meeting the following day admit that there was an ‘anti-European sentiment’ among backbenchers, who expressed ‘continued resentment’ at the government’s dealings with the EEC, perpetuated by media reports that

Conservative immigration policies would discriminate in favour of citizens from EEC countries at the expense of those from Old Commonwealth countries.<sup>152</sup>

This was correct, though, as Heath noted, '[t]he rules also applied to non-patrial coloured people, but there were those in the party who were quite happy to see them excluded'.<sup>153</sup> Those on the right wing of the Party, he declared, found the new rules 'galling' and warned that 'we were betraying the Commonwealth'.<sup>154</sup> However, Chief Whip Francis Pym feared that the real crux of their opposition stemmed from fears that there would be a repeat of the recent influx of Ugandan UK passport-holders (UKPH).<sup>155</sup> Heath took the defeat personally, later writing that the 'rebels [...] were determined to vote against us' and the 'extremists [...] had their revenge on me'.<sup>156</sup> The rules were revised, and, although the changes made were minimal, they were passed in January 1973.<sup>157</sup>

It might be expected that the Conservative Party's restrictionist policies would have helped to narrow the gap between the leadership and the electorate: in fact, this gap widened during this period. While British governments have almost always been less restrictionist than their voters, it was particularly noticeable during this period. Hansen argues that the 'contrast was [...] most striking under Heath'.<sup>158</sup> For those members of the public 'anxious about immigration', this era was one of disillusionment.<sup>159</sup> While Heath's Conservatives did bring in restrictive policy on immigration, he – and his Party – did not get the recognition for this that they perhaps deserved. This was partly because, with the Conservatives now in government, Powell continued to focus on immigration but 'now trained his sights on his own party'.<sup>160</sup> As a result, the Party was no longer inadvertently benefiting from being associated with Powell, nor was it perceived to have a particularly tough stance on immigration.

Instead, the Tories became associated with one particular episode from this period, with Heath noted as the leader who had let the Ugandan Asians into the UK, right at the time that Powell was making his meteoric rise to national prominence'.<sup>161</sup> The result of this unusually liberal decision was a resurgence in support for the far right, with the National Front gaining 8.2 and 16.2 per cent of the vote in by-elections in 1972 and 1973 respectively, up from a

typical result in the low single figures.<sup>162</sup> This was a time when ‘anti-immigration sentiment reached near-hysterical levels’ as ‘voters disaffected by the Conservatives’ perceived failure to control immigration [...] turned in frustration to the far right.’<sup>163</sup>

The public were confused; Powell’s most recent interventions had confounded them. In 1971 Powell had dismissed the Immigration Act for not going far enough – despite the fact that it was ‘a highly restrictive piece of legislation designed particularly to assuage the fears of Powell and his supporters’.<sup>164</sup> Later, he had criticised the Tories for being soft on immigration through criticism of the decision on Ugandan Asians and repeated allegations that the Home Office was lying about the level of immigration. Oddly enough, Powell’s pronouncements came at a time when the Conservatives were actually becoming tougher on the immigration issue. In late 1972, Cabinet registered the ‘current anxiety’ and ‘deep alarm’ among Conservative supporters who feared the prospect of further UKPH entering the UK and noted that ‘public opinion would not tolerate its repetition’.<sup>165</sup> Prime Minister Heath even suggested that ‘it might be necessary to go even further’, to tighten up controls on immigration by suspending the existing special voucher scheme.<sup>166</sup>

By calling out the Conservatives for supposedly being too liberal on immigration – to the extent of encouraging supporters to vote Labour in 1974 – Powell was able to use his high-profile position to thoroughly upset the Conservatives’ reputation on immigration. If Powell himself was condemning his own party for being too timid on immigration, surely the Tories could no longer regard immigration as their territory. As a result, dividing lines between the mainstream parties on immigration had become unclear in the run-up to the 1974 elections; a minority of voters reacted by turning to the far right National Front, who had taken 16.3 per cent of the vote in a by-election in West Bromwich the previous year.<sup>167</sup> The Conservative Party was forced to catch up, to distinguish itself from its main competitor – and become *more* restrictionist.

## 1974 to 1979

In a shock defeat, the Conservative Party lost the general election of February 1974.<sup>168</sup> The Tories took 297 seats, while Harold Wilson's Labour Party took 301. Later that year, Wilson called a further election to shore up his support. The Conservative defeat at the October 1974 election was widely predicted.<sup>169</sup> The gradual move towards a more restrictionist immigration policy during this period of opposition was partly a response to the Conservative Party's decision to keep quiet on the issue of immigration in the run-up to the general election. The campaign had been unremarkable; the manifesto had merely promised to review immigration policy, and possibly, introduce legislation.<sup>170</sup> The Party had even taken the decision to block certain parliamentary candidates 'whose views on race and immigration were likely to bring the Party into disrepute' from standing for election.<sup>171</sup>

Critical to explaining changes to Conservative immigration policy, and the presentation of that policy, was the Party's change in leadership in 1975. Edward Heath had clung on to power despite losing two general elections in a row. His successor, Margaret Thatcher, was said to have been elected because she was *not* Heath, rather than on her own merits. Any confusion over the Conservatives' stance on immigration was brought to a close within weeks of Thatcher's becoming leader. She would, over the coming months and years, make it clear that she understood immigration to be a significant issue to many voters – and an issue that, sensitive as it might be, would be valuable to the Party in terms of electoral gain.

Thatcher was said to have been 'sympathetic to Powell's positions on immigration in the late 1960s'.<sup>172</sup> Her close colleagues believed her to have little interest in the immigration debate, and although she acknowledged that she would have to take part, she 'wanted the issue to go away'.<sup>173</sup> While her contemporaries did not regard her as having any substantial interest in the immigration issue per se, she was said to keep a close ear to the ground: what worried voters, worried her. Thatcher picked up on rising fears about immigration during the mid-1970s and she was better able than most leaders to empathise with these concerns. In 1976, there was a further African Asians crisis, this time in Malawi, which provoked fears of an exodus. During a television interview, Thatcher referred to ordinary people's fear of being

overrun by (black and Asian) immigrants; it was an appearance in which she ‘succeeded in offering voters worried about immigration a clear signal which party would best deal with their concerns [...] without offering any specifics on how such a policy would be implemented.’<sup>174</sup>

Beyond Thatcher, there was to be little resistance to her version of immigration policy-making, in which strong claims were made, substantial proposals suggested, and the details were to be worked out later. There were few changes to the factions within the Conservative Party and Thatcher was, on the whole, allowed to do as she wished with policy. Heath’s Party of 1974 had something of a dominant faction in place, yet Thatcher did not hurry to change the faces at the top.<sup>175</sup> There was to be no ‘immediate [...] and wholesale replacement of “Heathmen” by those who came to be called “Thatcherites”’.<sup>176</sup> In fact, she kept on many of the senior figures who had been members of Heath’s Shadow Cabinet – despite the fact that very few of them had supported her in the leadership contest.<sup>177</sup> She was, in some senses, obliged to keep these people on. However, what she did do was put ‘[the] people she really wanted in charge of policy-making’.<sup>178</sup> In this way she was able to keep some degree of continuity in terms of people – and yet change the overall direction of the Party in terms of policy.

Over time, Thatcher was able to encourage the emergence of her own people – and they became more visible. Thus, ‘the team that sought the electorate’s endorsement in 1979 was by no means the same one that had appealed to it [...] five years earlier’.<sup>179</sup> By the end of this period in opposition, there was a clear Thatcherite faction. Admittedly, it may not have been quite as coherent or cohesive as some believe it to have been, but ‘when and where it counted, the dominant faction that formed around Thatcher after 1975 generally got what it wanted’.<sup>180</sup>

While policy-making during this period was very much in the hands of Thatcher and her inner circle, there were efforts made to show that other people and new processes were involved. Soon after Thatcher took the leadership, her Shadow Cabinet decided to bring in a new policy-making process, which involved a number of different policy groups.<sup>181</sup>

Ostensibly, these groups would ‘generate enough material for a possible mid-term policy statement’, but it did not work out in this way and the groups were wound up in late 1976.<sup>182</sup> Little was taken from the exercise, to the extent that as Bale suggests ‘it provided work for otherwise idle hands to do while many of the smaller groups [...] never really fed into or impinged on the policy-making process further up the chain of command’.<sup>183</sup> Instead, the heavy lifting of policy-making was done by the frontbenchers, working in small teams.<sup>184</sup>

When policy-making did not proceed in the way Thatcher wanted, she did not hesitate to get directly involved herself. There were ‘several instances [...] of her intervening, even interfering, in order to ensure things moved at the pace and towards the ends that she had in mind’.<sup>185</sup> In one particular incident, she pre-empted her colleague, the Shadow Home Secretary, Whitelaw, (who she referred to as ‘instinctively liberal-minded’) and forced him to develop policy that would be much more hard-line than he had intended.<sup>186</sup> While Thatcher had given him direction – she had ‘made it clear’ that the Party would need to toughen up its stance on immigration – he did not expect much further intervention.<sup>187</sup> Thatcher herself, however, thought differently and judged that the policy work on immigration under Whitelaw had ‘not progressed very far’, and ‘certainly not as far as many of supporters, vocal at Party conferences, wished’.<sup>188</sup> So, by early 1978, as Whitelaw and his colleagues were ‘almost ready to announce our plans’, ‘press stories began to circulate, to Whitelaw’s frustration that it [the announcement] would represent a major shift of policy [...] stories based, many believed, on a deliberate leak from sources close to the leadership’.<sup>189</sup> Whitelaw hurried to quell speculation, but Thatcher gave a televised interview in which she argued that ‘either you go on taking in 40 or 50,000 a year, which is far too many, or you say we must hold out the prospect of a clear end to immigration and that is the view we have taken’.<sup>190</sup> Whitelaw was said to be ‘furious’ as he would now have to ‘back up her tough talk with policies that could be sold as equally tough’.<sup>191</sup>

The leadership’s decision to commission policy groups may well have contributed to a feeling that change was afoot. The policy group process may have meant fewer anxious Party members putting pressure on their local MPs to push for tighter border controls. Bale notes that the backbenchers’ ‘level of involvement in the policy process between 1975 and 1979

was probably no higher than it was between 1965 and 1970', and, while 'the number of people involved in constituency-based policy discussion groups organised by the Conservative Political Centre (CPC) was rising [...] there is [...] no real evidence of their feedback contributing to the policy-making process at the centre'.<sup>192</sup> Their very membership of groups created specifically with the intention of revising policy may have made them feel more involved and more valued – and decreased the perception of a divide between the elites and 'ordinary' people.

While Thatcher was firm on the issue of tightening up immigration legislation, there were those within the Party who believed that doing so might satisfy a few voters, but would likely prove damaging in the long run. Certain figures on the left of the Party feared that 'too tough a line would only compound the difficulties the Party already had in picking up black and Asian votes – an argument that only two years earlier does appear to have helped to persuade the Shadow Cabinet to [...] avoid voting against Labour's race relations legislation paper'.<sup>193</sup> Fortunately for Thatcher, who thought that voters wanted what ordinary Conservative members wanted, 'there was little or no difference on immigration between Conservative activists and the average voter' during this period in opposition.<sup>194</sup> Hence, when resolutions on immigration at the Conservative Party conference reached 140 in 1976 (up from 17 in 1975) as Malawi made plans to expel its Asian population and when Airey Neave reported to colleagues the 'very strong comments about the absence of a party policy on immigration', the Party listened.<sup>195</sup>

Towards the end of the period, the issue of immigration became less significant – for both the Conservative Party and electorate – and so any difference between the two in terms of their approach to the matter became less pronounced. This decline was not because the electorate were satisfied with the level of immigration (the fact is, it was still a concern for many), but because other issues, such as the economy and industrial unrest, became more critical and knocked the immigration issue down (but not off) the agenda. A further contributing factor to the lessening salience of the issue was the diminishing influence of one of its most vocal opponents: the resignation of Powell from the Conservative Party in 1974

had ‘removed the most vociferous potential critic on immigration from the political mainstream’.<sup>196</sup>

Regardless, the Conservatives continued to make efforts to try to decrease the apparent gap between the leadership and the electorate. Immigration policy was transformed by the end of this period, as a simple comparison of manifestos from both ends of the era shows.<sup>197</sup> While the October 1974 document was somewhat reserved on the issue, even cautious, the 1979 manifesto ‘committed an incoming Tory administration to a new British Nationality Act that would define citizenship and right of residence’.<sup>198</sup>

## **5.2 Explaining Conservative immigration policy**

### **The dynamics of government versus opposition**

My first proposition suggests that the substance of policy-making is dependent on whether the political party has won – or lost – office. Did the Party’s movement from government to – unexpectedly – opposition and then, as predicted, opposition once more have any impact on immigration policy? Certainly, there were developments made to policy more generally, as there were, in fact, more broadly, ‘[f]undamental shifts in Conservative policy during this period’, but immigration was not picked out especially.<sup>199</sup> Again, during periods in which immigration was deemed not to be a particular topic of concern to Conservative politicians or their electorate (as in the early 1960s), the proposition is of less relevance. In the latter two parliaments of this period, the proposition is of use. When the Conservatives regained office in 1970, they could not deliver on the pledges they had made in opposition. In government, there were too many obstacles to confront (from issues of diplomacy, questions of legality and sheer feasibility), which delayed or blocked progress. On losing office in 1974, they were unrestrained by practical considerations or international concerns associated with being in government, and they reverted to more restrictionist rhetoric in an attempt to regain their lost reputation for being tough on immigration.



## **1964 to 1966**

During the first parliament of this period, the Conservatives' shift from the government to the opposition benches had no impact on the development of their immigration policy. While in opposition, the leadership took the opportunity to thoroughly review the policy offerings which the electorate had rejected. Immigration, however, received little attention, as it was not perceived to be an issue of great concern. There were few changes made to the Party's stance on the issue during this parliament.

## **1966 to 1970**

From 1966 onwards, there was no real break with continuity in the subsequent parliament; the Conservatives remained in opposition. With the Conservatives out of office for the next four years or so, one might have expected that there would be a new emphasis on developing attention-grabbing policies in an effort to bring voters on side and in time for the next election. Immigration, however, was to play a muted role: given that the issue was not particularly salient (at least, initially during this period), there was little reason for the Conservatives to work on extensive proposals on the topic. The leadership remained unconvinced that immigration could be an issue on which voters would be swayed, and there was a reluctance to exploit the issue; to do so, according to senior Tory figures, would have been unseemly.<sup>200</sup>

However, the proposition is more applicable to the period from the late 1960s onwards, when levels of immigration increased and a hostile outlook on immigration among the general public was more evident. The luxury of opposition, which, in this situation refers to a lower level of scrutiny of policies and proposals, allowed for the Conservative Party to change strategy and to put forward restrictionist measures that had never seriously been considered, let alone tried, such as phased entry for certain immigrants.

## 1970 to 1974

During the following parliament, in which the Conservatives regained office in 1970, the proposition becomes still more relevant. The Party began enthusiastically putting their hard-hitting measures into legislation, yet they were not wholly successful. The Tories could not deliver on the pledges that they had made in opposition, let alone live up to their reputation for being tough on immigration. In government, there were too many obstacles to confront (from issues of diplomacy, questions of legality and sheer feasibility), which delayed or blocked progress. Fears about damaging relations with both the Old and the New Commonwealth, and which had been of little concern in opposition, became increasingly important and acted as a deterrent to redefining citizenship wholeheartedly. The unexpected events in Uganda – and concerns regarding the legality of restricting the Ugandan Asians – conspired to force the Conservatives to break their pledge of ensuring that there would be no more ‘large scale permanent immigration’.

At times, parliamentary opposition to the Conservatives’ proposals served to complicate the process of legislation. In 1971, an amendment was carried which, in effect, removed the provision whereby Commonwealth citizens with UK-born grandparents would not be subject to immigration control. In a clear example of the Conservative Party’s responding to the different dynamic of policy-making in government, attempts were made to bring in the clause surreptitiously. In May 1971, the Cabinet agreed that the Home Secretary should discuss with ministers the possibility of ‘achieving by administrative measures the aims which the rejection of the grandparental concession had frustrated’.<sup>201</sup> Publicly, however, the Conservative leadership were forced to reassess the rules so that ‘the right of abode was limited to persons with parents born in the UK [...] [although it should be noted that] its application to those with grandparents was reinstated two years later when the immigration rules of 1973 were published’.<sup>202</sup>

## 1974 to 1979

In 1974, the Conservative Party lost office, and during this parliament, the Party developed tougher immigration policies that were popular with the public, if not entirely practical for a Party with ambitions of returning to office. Fortunately for the Tories, the Labour government's loosening up of certain immigration rules gave the Conservatives more space to shift and change policy in a more restrictionist direction.<sup>203</sup>

It is tempting to argue that the Party – now released from the pressures of office which generally demand more modest proposals – was able to think more boldly in opposition, but there were other factors at work. Most likely, it was a combination of the dynamics of being out of government and unrestrained by certain practical considerations or international concerns, as well as the Party's growing awareness of the importance of the issue to the public, if not a willingness to make use of the issue for electoral gain (at least, not explicitly, as it was seen as distasteful). The situation was compounded by internal party changes as the Conservatives struggled to come to terms with their unexpected election defeat, unceremoniously removed leader Edward Heath and replaced him with a politician from a very different faction of the Party.

Furthermore, and as the proposition suggests, the Party's retreat back to more restrictionist rhetoric was about trying to regain its lost reputation for being tough on immigration. The Conservatives had not received much in the way of electoral reward for passing restrictive legislation just a few years earlier. The public were still not satisfied.

In short, the proposition is not so relevant for the first half of this period, when immigration was (for elites, at least) low on the list of priority issues. During the second half of this period, from the late 1960s to 1979, when immigration had become a salient issue, the proposition does come into play as the Conservatives struggled in government to keep up with the restrictive line they had promised in opposition. Thrown out of office unexpectedly in 1974, the Tories' immigration policy took on a more restrictionist line as they sought to regain their trusted reputation on the issue.

## Electoral considerations, leadership and factions

My second proposition states that there are three influencing factors with regard to party policy-making: the ‘fear of electoral defeat’ or electoral calculations relating to elections in the recent past or near future; the party leader’s interest in, and stance on, the issue as well as their managerial style; and lastly, the factions that run, or aspire to run, the Party. I find that these factors can provide useful explanations for immigration policy-making change from 1964 to 1979. Electoral motivation is the most critical variable: it is a strong driver of immigration policy for much of this period. Leadership also has a formidable role to play, with the leader’s personal convictions and their motivations important to explanations of policy development. Factions are of less importance than the other variables, except for the period from 1966 to 1970, when the interactions between different wings of the Conservative Party do drive policy change.

### **1964 to 1966**

#### Electoral motivations

During the mid-1960s, the Conservative Party’s likely benefiting from the immigration issue did not go unnoticed, and there were occasional attempts to make use of the topic, with Douglas-Home’s call for voluntary repatriation an early example. However, the Shadow Cabinet worried that similar ploys might well upset the middle-ground vote, and there were few serious attempts to exploit immigration for electoral gain. Furthermore, the Labour government’s restrictionist stance managed to neutralise the Tory lead: there was little difference between the two parties’ immigration policy offerings.

## Leadership

The relative silence on the issue of immigration was partly down to the leadership's reasoning that there was little point in making use of immigration as a means of winning votes, as it was not yet a nationally important issue, nor would it have been considered a polite thing to do. To compound this, only a few Conservative MPs, rather than any cohesive or powerful faction within the Party, saw any reason to disagree with this stance.

## Factions

The Smethwick result presented the Conservatives with something of a dilemma. How could the Party 'reconcile its internal divisions on race while simultaneously presenting a united front to a predominantly illiberal electorate'?<sup>204</sup> The 1962 Immigrants Act had left the Party's divisions more apparent than before.<sup>205</sup>

## 1966 to 1970

### Electoral motivations

Given the scale of the defeat for the Conservatives, with a loss of 52 seats at the 1966 election, it is curious that the shock of electoral defeat – for the second time in a row – did not force the Party to reconsider the entirety of its policy offerings. A senior Conservative figure recalled that there was no need to make use of immigration because 'we believed we would win the election' without it.<sup>206</sup> Even if the Tories had wanted to exploit immigration for electoral gain, there was not much room for them to do this. The Labour Party had, in passing restrictive legislation, politicised the issue to the extent that any lead that the Conservatives might have had was quickly neutralised. Rather than seeking to winkle out votes from

immigration, the Party's efforts to begin tightening up policy were made 'not so much to capitalise on anti-immigration sentiment as to prevent it getting out of hand'.<sup>207</sup> Policy development was a process of muddling on and responding to events.

By the late-1960s onwards, immigration had become a contentious and partisan issue, and so, responding to the continuing popularity of Powell and his stance, the Conservatives were, in effect, compelled to harden their line and move closer to the electorate. This was no ideological conversion at the elite level; instead there was an acknowledgement amongst the leadership that it was necessary to react to public support for more restrictionist policies at this time. It was recognised that the public mood was shifting. Senior Conservative figures were becoming aware of a growing hostility to immigrants and immigration; a *Times* report from early 1968 stated that 'most politicians uncomfortably admit that anti-immigrant feeling is rising among their constituents'.<sup>208</sup>

There was, however, at least initially, a cautious approach, with something of a 'tacit agreement' between the two main political parties to keep quiet on the issue so as not to further entrench public opinion and provoke violence.<sup>209</sup> While Labour's efforts to establish itself as a party of tough controls succeeded in turning immigration into a partisan issue, unexpectedly, it was an issue that rewarded the Tories. Work by Ford has found evidence that from 1968 onwards, 'hostility to immigration' strongly correlated with Conservative voting. He argues too that the results are asymmetric, in that attitudes to immigration are 'more important in encouraging votes for the Conservatives than in discouraging votes for Labour'.<sup>210</sup>

## Leadership

The leadership of the Party cannot be said to have had a strong influence on the making of Conservative immigration policy: Heath had no deep interest in immigration – in fact he 'didn't like the issue'.<sup>211</sup> One colleague of his recalled having to persuade Heath to come out

with a definitive line on immigration, which he eventually did, in a speech at York in 1968 though 'he made it reluctantly, he had to be dragged to the water, he wasn't at all keen to drink it'.<sup>212</sup> He and his Shadow Cabinet had been left on the back foot. They were disconcerted by Powell's intervention, and they were forced to develop policy swiftly and under great pressure. As his colleague put it, 'we didn't have a policy and we had to make one and he [Heath] had to announce it and he had to spell it out in great detail'.<sup>213</sup> As a result, Heath was 'manoeuvred into having a policy [...] that the Research Department produced' and he 'resented it'.<sup>214</sup>

## Factions

The passing of the Commonwealth Immigrants Act in 1968 demolished the bipartisan consensus that had allowed the issue to be kept relatively muted. The Tory leadership were then left on the back foot: disconcerted by Powell's intervention, they were forced to develop policy swiftly and under great pressure. At this point, while the Powellites did not represent an organised segment of the Party, the differing factions within the Party were having a keen influence on the development of policy. The parliamentary party were split three ways on both immigration and race relations, and with divisions even within the Shadow Cabinet, policy was the result of a careful compromise to contain Tory parliamentarians who were not above voting against the Party line.

The influence of factions was becoming more evident, with sizeable numbers of Tory parliamentarians supporting and with others rejecting the entry of Kenyan Asians to the UK. Each 'side' encompassed a broad range of views, with the more liberal Conservatives supporting the government line for quite different reasons than those of a patriarchal disposition and with an attachment to the Commonwealth. Heath was said by a contemporary to have disliked the restrictionist 'sour right' of the Party and was uninterested in giving more than the 'absolutely minimum concessions' to them.<sup>215</sup> Conservatives close to the leadership were more concerned with doing the 'right thing' by taking a cautious approach to the issue

so as not to damage community relations. One senior figure acknowledged that the Party ‘could have taken a combative stance on the matter, but we deliberately refrained [...] [because] it was the responsible thing to do’.<sup>216</sup> Members of the Shadow Cabinet expressed concerns that, if the question of immigration was allowed to become more of a priority issue ‘if we won, we’d have to handle it and it wouldn’t be good if everything was in a feverish state of expectation’.<sup>217</sup>

## **1970 to 1974**

### **Electoral motivations**

Fear of electoral defeat did not play a significant role in the Party immigration policy-making during this period. In fact, the Conservative Party lost its reputation as a party that could, and would, control immigration. The gap in immigration preferences between the leadership and the electorate widened during the period from 1970 to 1974. This was partly because a new elite level preoccupation with immigration had emboldened the public: their views were justified. Relentless criticism of the Party by Powell did not help the Conservatives either. When the Tory government took the decision to allow the Ugandan Asians into the UK, polls showed that 54 per cent of the electorate disapproved of the handling of the situation, and 57 per cent agreed with the statement that the Ugandan Asians should not settle in the UK.<sup>218</sup> There was a temporary rise in support for the far-right, with the National Front recording a gain of 11,000 new supporters between late 1972 and early 1973. While these figures are miniscule when looking at the electorate as a whole, polls at the time suggest that ‘affinity for the National Front among the general public ran deeper’, with 25 per cent of respondents voicing the opinion that the NF expressed the views of ‘ordinary working people’.<sup>219</sup> In response, the Party was forced to catch up, to distinguish itself – and eventually, take a more hard-line stance in order to get closer to the position of the electorate.



## Leadership

It is, however, difficult to explain the Conservative government's decision to admit the Ugandan Asians without examining the leadership of Heath. First, Heath had no great affection for the Commonwealth and hence saw no reason to maintain the privileges accorded Commonwealth immigrants.<sup>220</sup> They were a historic relic which had lost their relevance, and he made it a priority for his government to equalize, as much as it could, the rights of aliens and Commonwealth immigrants.<sup>221</sup> Hence, the Immigration Act of 1971 put an end to the last few privileges that the Citizens of the United Kingdom and Colonies (CUKC) had retained, such as the work permit scheme that had operated since 1962.<sup>222</sup>

Second, Heath, a former Chief Whip, was concerned with maintaining party unity and he was well aware that immigration was a contentious enough issue to divide the Party. As a result, the leadership's approach to immigration policy was a self-conscious and careful one. Heath knew that he could not push policy too far in the restrictive direction, nor could he make it more liberal. Instead, for he knew that it had to be dealt with, and under pressure from his colleagues to do something, he set up a series of policy groups, one of which considered immigration.<sup>223</sup> This had the effect of calming certain wings of the Party, as well as making it more difficult for critics to work out what was going on policy-wise.

Third, Heath's hand was very much forced by Powell. The latter's continuing popularity among the British public prompted the Conservatives to sit up and take note. More than this, the Party was forced to continually revise its position on the issue. In fact, the very success of Powell was likely to have compelled Heath to follow Powell's lead to an extent.<sup>224</sup> In part, Powell 'probably helped to push [...] [the Conservative Party] in a somewhat restrictionist direction on immigration'.<sup>225</sup> This was a continual and mutually-reinforcing process: 'by galvanizing public and party support for a restrictionist position, Powell forced the party's front bench reluctantly to adopt a firmer anti-immigration stance; in turn, Powell responded by declaring himself in favour of a still more restrictionist position; the Conservatives again followed and so on'.<sup>226</sup>

## 1974 to 1979

### Electoral motivations

By the last parliament of this period, the Conservative Party had begun to fully sense the extent of public concerns. The fear of electoral defeat was certainly a motivating factor, especially after two general election losses in a row. Fortunately for the Conservatives, it was electorally advantageous to push a tough line. Private and public polls from the mid-1970s on implied that there would be electoral gains if the Party took ‘an explicit hard line on race’.<sup>227</sup> While public concern about immigration mounted in the mid-1970s, the Conservative Party made great efforts to deal with such concern by being more vocal and much tougher on immigration policy. There were deliberate attempts made to close the gap between the elites and the ordinary people, with one senior Conservative referring to the immigration issue as being the ‘acid test’ of whether politicians were in touch with the public they represent.<sup>228</sup>

The sudden realisation that the Conservative Party’s huge lead on immigration had much diminished was a driving factor in policy development. Ford finds that over the previous three or four years, trust in the Conservatives to put forth – and deliver – tough policies on controlling immigration had lessened. By the time of the first general election of 1974, following nearly four years of the Heath government, just seven per cent of voters believed that the Tories were proposing a repatriation programme and 36 per cent that the Party would stop immigration to the UK. More alarmingly for the Conservatives, ‘[t]he proportion thinking the Conservatives favoured allowing new settlement of immigrants tripled from 8 per cent to 24 per cent.’<sup>229</sup> This breakdown in public perceptions came despite Heath’s efforts to deal with public concern by ‘contain[ing] the immigration issue [...] [through] passing highly restrictive immigration legislation’, as he had in 1971’.<sup>230</sup> These efforts were not enough.

Many within the Party understood that perceptions that immigration would not be dealt with would be a vote loser. Dudley Smith wrote in a letter to Thatcher in January 1978 that there

were ‘still too many people even among our fairly dependable supporters who believe that we are not really serious over tackling the immigration problem and that at the end of the day we shall try and ignore the problem’.<sup>231</sup> Thatcher’s reference to the ‘swamping’ of British culture in a television interview was seen by some as a ‘transparent effort to appropriate the National Front’s main electoral issue for the Conservative cause’.<sup>232</sup>

Reforming immigration policy certainly did not seem to have harmed perceptions of the Party’s being in tune with the electorate. A Gallup poll from February 1978 found that ‘while just 13 per cent thought immigration would drop under a Labour government, 71 per cent thought that it would do so under the Tories’.<sup>233</sup> However, it should be noted that this vote of confidence in Conservative immigration policy may not have had much to do with the Tories’ listening exercise. As Bale argues: ‘[j]ust because things shifted in the expected direction does not mean that those in control were simply reacting to pressure; their preferences, ideological and strategic, mattered too.’<sup>234</sup> And while Thatcher was resolved to tighten up controls, there were those within the Party who believed that doing so might satisfy some voters, but would likely prove electorally damaging in the long run as it would push away liberal voters and further compound the difficulties in bringing ethnic minorities on side.

## Leadership

Leadership became most significant during the final parliament of this period, after Margaret Thatcher had become leader in 1975, and with whom much of the immigration policy development during these years is associated. She made it clear that she understood immigration to be a significant concern for many voters – and an issue that, sensitive as it might be, would be valuable to the Party in terms of electoral gain. If, she argued, the Conservative Party were to keep quiet on immigration, that would be a motivating factor for voters to opt for extreme-right parties. While some supporters of the National Front (NF) may not have agreed with many of its objectives, ‘they [the voters] say that at least they [the NF] are talking about some of the problems’.<sup>235</sup>

## Factions

Factions, by this point, were of less concern: there was little serious resistance to Thatcher's brand of immigration policy-making, despite the fact that she made few changes to the Shadow Cabinet that she had inherited. Concerns about the Conservative Party losing support if it did not take a tough line were, importantly, not the concerns of a few, but most likely a reflection of 'majority opinion within the Party [...] [and not] the agitation of a more radical minority'.<sup>236</sup>

## 5.3 Conclusion

This chapter has considered the immigration policy of the Conservative Party from 1964 to 1979. During this era, a slow but steady increase in immigration to the UK from the Commonwealth, combined with solidifying public opposition to this movement of people, compelled the Conservative Party to develop a more coherent policy. Interventions by prominent figures within the Party, as well as pressure from backbenchers, resulted in the issue becoming one that could no longer be contained. In ending uncontrolled migration from the Commonwealth and colonies to the UK and joining the EEC, which permitted free movement of people among its members, the UK began to move away from the very concept of empire and, later, from the Commonwealth, and towards Europe. While concerns about raising the temperature on the issue and damaging community cohesion remained, the Conservatives became more accustomed to the possibility of using the immigration issue for electoral gain.

Examining Conservative Party immigration policy within the context of the Party's fortunes, that is, whether it is in government or in opposition, has allowed for a number of observations to be developed. As in the previous chapter, the salience of the immigration issue is critical in determining whether there is a difference between Tory policy developed in office and Tory policy developed in opposition. From the late 1960s onwards, when levels of

immigration to the UK increased and public hostility was more noticeable, the Tories made use of the luxury of opposition (including a lower level of scrutiny of policies and proposals), in order to develop and put forward various restrictionist measures that had never been seriously considered, let alone tried, such as phased entry for certain immigrants.

In government, the Party's policy was far less restrictionist; the Tories of the early 1970s struggled to keep to the line that they had promised. They could not deliver on the pledges they had made in opposition, let alone live up to their reputation for being tough on immigration. In government, there were too many obstacles to confront (from issues of diplomacy, questions of legality and sheer feasibility), which delayed or blocked progress. They were not wholly successful in implementing their pledges, and so, when thrown out of office unexpectedly in 1974, the Tories' immigration policy took on a more restrictionist line as they sought to regain their trusted reputation on the issue. Back in opposition, they were unrestrained by electoral mandates, practical considerations or international concerns.

This chapter has also examined the three influencing factors with regard to party policy-making: the 'fear of electoral defeat', or, a collective concern about future electoral results; the party leader's approach to the issue as well as their managerial style; and lastly, the factions that, to some extent, control the direction of the party. The influence of the three factors varies throughout the 15-year stretch.

While electoral considerations had little to no impact on immigration policy early on in the period, they soon became the most significant factor. Despite the 1964 defeat, the Conservatives made no use of the immigration issue in the 1966 election because they believed they would win without it. Party positioning also made it difficult for the Tories to exploit the issue, even if they had wanted to. The Labour Party had, in making plans to pass restrictive legislation, politicised the issue to the extent that any lead that the Conservatives might have had was quickly neutralised. Rather than seeking to extract votes from the issue, the Party's efforts to begin tightening up policy were made 'not so much to capitalise on anti-immigration sentiment as to prevent it getting out of hand'.<sup>237</sup>

Electoral motivations only became an influence on policy-making with the unexpected and meteoric rise of Enoch Powell. By the late-1960s, immigration had become a contentious and party-political issue, and so, responding to the continuing popularity of Powell, the Conservatives were, in effect, compelled to harden their line and move closer to the electorate. The leadership deemed it necessary to respond to the public mood and offer more restrictionist policies at this time. Towards the end of the period, the Conservatives were less reluctant to make use of their natural lead on immigration control, particularly within a context in which they had lost two general elections (February and October 1974) in a row. When public concern about immigration mounted in the mid-1970s, the Conservative Party made efforts to seize the momentum by being more vocal in support of a much tougher immigration policy. One senior Conservative referred to the immigration issue as being the ‘acid test’ of whether politicians were in touch with the public they represented.<sup>238</sup> The leader herself, Thatcher, argued that the Tories’ reticence on immigration control was a motivating factor in voters opting for extreme-right parties.

The impact of factions on immigration policy-making – and the potential for them to do serious damage to the unity of the Conservative Party – is evident throughout the period. Powell’s rise to prominence and his strong anti-immigration rhetoric compelled Tory parliamentarians to declare their stance. From the late 1960s onwards, there emerged distinct dividing lines between those calling for immediate further immigration controls, and their more moderate counterparts who were broadly in favour of controls, and those who rejected such calls. The existence of these factions made it difficult for the leadership to develop a policy that most of the parliamentary party would support. Unexpected events, such as the flight of Asians from Kenya and later Uganda were damaging for the Party as its divisions were brought to light. As a result, policy was a careful compromise to contain Tory parliamentarians who were not above voting against the Party line.

Taken as a whole, the leadership of the Party had perhaps the least influence on policy-making. Neither Douglas-Home nor Heath had much interest in immigration. The latter was practically forced by his colleagues to set down a definitive line on immigration – and was said to resent it. Neither of the two men could be seen to be driving the Tories’ immigration

policy – with the exception, perhaps, of Heath’s decision to allow in the Ugandan Asians in 1971. Heath was mindful of the potential for immigration to damage the Party by exposing its splits; he tended to take a self-conscious and careful approach. Leadership only became a key factor in immigration policy-making when Thatcher took over as leader in 1975. She understood that immigration was, or could be, a significant concern for many voters – and an issue that, sensitive as it might be, would be useful to the Party in terms of electoral gain.

## Notes

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- <sup>1</sup> Interview with Douglas Hurd, 29 October 2014.
- <sup>2</sup> Singham, A W. 'Immigration and the election'. In Butler, D E and King, A. *The British General Election of 1964*. (London: Macmillan & Co, 1965). 363.
- <sup>3</sup> Whitelaw, W. *The Whitelaw Memoirs: William Whitelaw*. (London, Aurum Press, 1989). 63.
- <sup>4</sup> See Table 6.4 'Conservative conference resolutions on immigration and race relations, 1955-1986', in Messina, A. *Race and Party Competition in Britain*. (Oxford: Oxford University Press, 1989). 137. Messina finds that there were 64 resolutions between 1955 and 1963 (a mean of 8 per conference), 194 between 1965 and 1971 (a mean of 27.7) and 352 between 1972 and 1979 (a mean of 50.3).
- <sup>5</sup> Interview with David Waddington, 21 May 2014.
- <sup>6</sup> Butler, D E and King, A. *The British General Election of 1964*. (London: Macmillan & Co, 1965). 142.
- <sup>7</sup> Wood, D and Clark, G. 'Differences within Shadow Cabinet'. *The Times* [online] 27 Feb. 1968. Accessed 20 August 2012.
- <sup>8</sup> Young, K. *Sir Alec Douglas-Home*. (London, J M Dent & Sons, 1970). 218.
- <sup>9</sup> Home, Lord. *The Way The Wind Blows: An Autobiography*. (London: Collins, 1977). 186.
- <sup>10</sup> Charmley, J. *A History of Conservative Politics since 1830*. (Basingstoke: Palgrave Macmillan, 2008). 185.
- <sup>11</sup> Home, 1977, op. cit. 189.
- <sup>12</sup> Conservative Party, The. *The Conservative Party General Election Manifesto 1964*. 1964. [online] <http://bit.ly/1WVMVY1> Accessed 4 June 2014.
- <sup>13</sup> Ibid.
- <sup>14</sup> Hansen, R. *Citizenship and immigration in postwar Britain*. (Oxford: Oxford University Press, 2000). 142.
- <sup>15</sup> 'Tories Would Keep Migrant Control'. *The Times* [online] 28 Sept. 1964. Accessed 20 August 2012. and 'Sir A. Home Defends An Immigration Curb'. *The Times* [online] 7 Oct. 1964. Accessed 4 August 2015.
- <sup>16</sup> Butler and King, 1965, op. cit. 120.
- <sup>17</sup> Home, 1977, op. cit. 219.
- <sup>18</sup> Ibid. 219.
- <sup>19</sup> Steed, M. 'An Analysis of the Results'. In Butler, D E and King, A. *The British General Election of 1964*. (London: Macmillan & Co, 1965). 354.



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- <sup>20</sup> Ford, R. British attitudes towards immigrant ethnic minorities 1964-2005: Reactions to diversity and their political effects. (University of Oxford: unpublished doctoral thesis, 2007). 148.
- <sup>21</sup> Cited in Hansen, 2000, op. cit. 132.
- <sup>22</sup> Hansen, 2000, op. cit. 132.
- <sup>23</sup> Butler and King, 1965, op. cit. 119-120, 142.
- <sup>24</sup> Singham, 1965, op. cit. 365.
- <sup>25</sup> Ibid. 365.
- <sup>26</sup> Hansen, 2000, op. cit. 136.
- <sup>27</sup> Butler and King, 1965, op. cit. 120.
- <sup>28</sup> Hansen, 2000, op. cit. 142.
- <sup>29</sup> As Hansen notes, 'the party's patrician and liberal wings' had expressed 'embarrassment' over their Conservative colleague's campaign in Smethwick. Hansen, 2000, op. cit. 132.
- <sup>30</sup> Bale, T. The Conservatives since 1945: The Drivers of Party Change. (Oxford: Oxford University Press, 2012). 102.
- <sup>31</sup> Hansen, 2000, op. cit. 142.
- <sup>32</sup> Interview with David Waddington, 21 May 2014.
- <sup>33</sup> Ibid.
- <sup>34</sup> Conservative Party Archive (CPA): CC04 9/225, Extract from speech by Sir Alec Douglas-Home to the Central Council Meeting, 6 March 1965.
- <sup>35</sup> Hansen, 2000, op. cit. 143.
- <sup>36</sup> Ibid. 144.
- <sup>37</sup> Ibid. 145.
- <sup>38</sup> Ibid. 143.
- <sup>39</sup> Bale, 2012, op. cit. 107.
- <sup>40</sup> Hansen, 2000, op. cit. 141.
- <sup>41</sup> Hansen, 2000, op. cit. 143 and see also CPA: ACP 3/11/2, 'Policy Group on Immigration – Interim Report' 14 July 1965.
- <sup>42</sup> Hansen, 2000, op. cit. 143.

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- <sup>43</sup> Ibid. 143.
- <sup>44</sup> Bale, 2012, op. cit. 142.
- <sup>45</sup> Hansen, 2000, op. cit. 144.
- <sup>46</sup> Ibid. 151.
- <sup>47</sup> Ibid. 151.
- <sup>48</sup> Cited in Hansen, 2000, op. cit. 151.
- <sup>49</sup> Ibid. 151.
- <sup>50</sup> Ibid. 152.
- <sup>51</sup> Ibid. 152.
- <sup>52</sup> Young, 1970, op. cit. 238.
- <sup>53</sup> Ford, 2007, op. cit. 133. and Bale, 2012, op. cit. 131.
- <sup>54</sup> Conservative Party, The. The Conservative Party General Election Manifesto 1966. 1966. [online] <http://bit.ly/1sRhym> Accessed 4 June 2014. and Butler, D E and King, A. The British General Election of 1966. (London: Macmillan, 1966). 92.
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- <sup>58</sup> Ibid. 144.
- <sup>59</sup> Whitelaw, 1989, op. cit. 63.
- <sup>60</sup> Paul, K. Whitewashing Britain: Race and Citizenship in the Postwar Era. (New York: Cornell University Press, 1997). 179.
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- <sup>64</sup> Whitelaw, 1989, op. cit. 63.
- <sup>65</sup> Fowler, N. 'Migrants law may be made stronger'. The Times [online] 13 Feb. 1968. Accessed 20 August 2012.

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- <sup>72</sup> See chapter 2 of Hampshire, J. *Citizenship and Belonging: Immigration and the Politics of Demographic Governance in Postwar Britain*. (London: Palgrave Macmillan, 2005).
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- <sup>82</sup> The Commonwealth Immigrants Act of 1968 had been 'rushed through Parliament in only three days'. Geddes, A. *The Politics of Immigration and Race*. (Manchester: Baseline, 1996). 51.
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- <sup>90</sup> Whitelaw, 1989, op. cit. 64.
- <sup>91</sup> See Wood, 1968, op. cit.
- <sup>92</sup> Ibid. and Thatcher, 1995, op. cit. 146.
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- <sup>129</sup> Ibid. 193.
- <sup>130</sup> Heath, 1998, op. cit. 455.
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<sup>134</sup> Hansen, 2000, op. cit. 197.

<sup>135</sup> TNA: CAB/128/49/25, 'Conclusions of a Meeting of the Cabinet', 13 May 1971.

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<sup>137</sup> Hansen, 2000, op. cit. 198.

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<sup>139</sup> Interview with Ken Clarke, 20 January 2015

<sup>140</sup> Hansen, 2000, op. cit. 198-9. Some 28,000 Ugandan Asians settled permanently in the UK. See Hansen, 2000, op. cit. 198-9, 201. and Goodhart, 2013, op. cit. 147. and Heath, 1998, op. cit. 457.

<sup>141</sup> Hansen, 2000, op. cit. 179.

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<sup>143</sup> Heath, 1998, op. cit. 457. and Bale, 2012, op. cit. 173.

<sup>144</sup> Thatcher, 1995, op. cit. 212. and Heath, 1998, op. cit. 457.

<sup>145</sup> Hansen, 2000, op. cit. 180.

<sup>146</sup> Goodhart, 2013, op. cit. 146.

<sup>147</sup> Hansen, 2000, op. cit. 200; Goodhart, 2013, op. cit. 146. and Heath, 1998, op. cit. 457.

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<sup>149</sup> *Ibid.* 201.

<sup>150</sup> *Ibid.* 202.

<sup>151</sup> Heath, 1998, op. cit. 458.

<sup>152</sup> TNA: CAB 128/50/54, 'Conclusions of a Meeting of the Cabinet', 23 Nov 1972.

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<sup>155</sup> TNA: CAB 128/50/54, 'Conclusions of a Meeting of the Cabinet', 23 Nov 1972.

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<sup>161</sup> Hansen, 2000, op. cit. 179.

<sup>162</sup> Messina, 1989, op. cit. 114.

<sup>163</sup> Hansen, 2000, op. cit. 179 and Ford, 2007, op. cit. 136.

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<sup>165</sup> TNA: CAB 128/50/57, 'Conclusions of a Meeting of the Cabinet', 7 Dec 1972.

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<sup>170</sup> Conservative Party, The. *The Conservative Party General Election Manifesto October 1974*. 1974. [online] <http://bit.ly/1qLad11> Accessed 4 June 2014.

<sup>171</sup> Bale, 2012, op. cit. 186.

<sup>172</sup> Ford, 2007, op. cit. 137.

<sup>173</sup> Interview with Douglas Hurd, 29 October 2014.

<sup>174</sup> Ford, 2007, op. cit. 137.

<sup>175</sup> See 'Ted Heath's Conservative Party entered government in 1970 without an obviously dominant faction, but left it in February 1974 with one in place.' From Bale, 2012, op. cit. 227.

<sup>176</sup> Ibid. 187.

<sup>177</sup> Ibid. 221.

<sup>178</sup> Ibid. 221.

<sup>179</sup> Ibid. 187.

<sup>180</sup> Ibid. 228.

<sup>181</sup> Ibid. 199.

<sup>182</sup> Ibid. 199, 200.

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<sup>183</sup> Ibid. 199.

<sup>184</sup> Ibid. 200. and Whitelaw, 1989, op. cit. 153.

<sup>185</sup> Bale, 2012, op. cit. 224.

<sup>186</sup> Thatcher, 1995, op. cit. 407.

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<sup>188</sup> Thatcher, 1995, op. cit. 407.

<sup>189</sup> Whitelaw, 1989, op. cit. 153. and Bale, 2012, op. cit. 224.

<sup>190</sup> Margaret Thatcher Foundation (Thatcher MSS): 'TV Interview for Granada World in Action', 27 January 1978.

<sup>191</sup> Bale, 2012, op. cit. 224-5.

<sup>192</sup> Ibid. 203.

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<sup>195</sup> Ibid. 237.

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<sup>198</sup> Bale, 2012, op. cit. 208.

<sup>199</sup> Ibid. 204.

<sup>200</sup> Interviews with David Waddington, 21 May 2014 and Peter Lloyd, 20 June 2014.

<sup>201</sup> TNA: CAB/128/49/25, 'Conclusions of a Meeting of the Cabinet', 13 May 1971.

<sup>202</sup> Hansen, 2000, op. cit. 197.

<sup>203</sup> Roy Jenkins, cited in Hansen, 2000, op. cit. 225. and Ford, 2007, op. cit. 146-152.

<sup>204</sup> Messina, 1989, op. cit. 35.

<sup>205</sup> Ibid.

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<sup>207</sup> Bale, 2012, op. cit. 144.

<sup>208</sup> Wood, D. 'Tory leaders urge phased entry'. The Times [online] 22 Feb. 1968. Accessed 20 August 2012. 1968a.

<sup>209</sup> Goodhart, 2013, op. cit. 144.

<sup>210</sup> Ford, 2007, op. cit. 157.

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<sup>212</sup> Ibid.

<sup>213</sup> Ibid.

<sup>214</sup> Ibid.

<sup>215</sup> Ibid.

<sup>216</sup> Ibid.

<sup>217</sup> Ibid.

<sup>218</sup> Gallup polls, cited in Messina, 1989, op. cit. 113.

<sup>219</sup> Messina, 1989, op. cit. 112.

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<sup>221</sup> Hansen, 2000, op. cit. 181.

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<sup>224</sup> Hansen, 2000, op. cit. 182.

<sup>225</sup> Goodhart, 2013, op. cit. 146.

<sup>226</sup> Hansen, 2000, op. cit. 182.

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## 1979 to 1997

A problem for which there was no solution.<sup>1</sup>

– David Waddington

This chapter will investigate the changes made to the Conservative Party's immigration policy from 1979 to 1997. First, it will consider the key developments in the Tories' approach to managing immigration. Next, it will explain the Party's policy-making using the theoretical framework previously expanded on. Over four parliaments, and under two different leaders, the Conservatives held on to office for an uninterrupted period of nearly two decades. By the end of the period, the Conservative Party had switched its focus; no longer were the Tories so concerned by the family reunification route, instead, they turned their attention to asylum seekers, of whom many were believed to have made unfounded applications, now that they could no longer enter as economic migrants. Ministers found – to their frustration – that when one route was closed down, immigrants would find another, and the process would continue.

In 1979, the Conservative Party's immigration policy was comprehensive and far-reaching. During the next 18 years, the Conservatives held office at a time when levels of immigration were relatively stable (and even, at times, decreasing). There was a short period in which the number of asylum applications increased rapidly – but the figures then reduced just as quickly. Despite the fact that there were no dramatic changes to immigration levels (net migration was maintained at around 50,000 a year in the 1980s and 1990s), the Tories did not neglect the issue. The Party further tightened up entry to the UK and tidied up citizenship

legislation. In response to the rising numbers of individuals claiming asylum in the UK, the Conservatives fleshed out their asylum policy and revised the systems for ascertaining the legitimacy of ‘genuine’ refugees, as well as the benefits that they were entitled to.

The Tories were most concerned with questions of *how* they could further tighten controls on migration. Substantial legislation had already been passed by previous governments in 1962 and 1971, which made it more difficult to integrate further initiatives in a cohesive way. That is not to say that the Conservatives did not consider there to be a need to develop immigration policy. The 1981 disturbances, which occurred in deprived, inner cities with high numbers of ethnic minorities, were perceived by the Tories as confirmation that controlled immigration was critical to ensuring reasonable community relations. There were no simple solutions: the intention was to keep migration at a ‘sensible’ level and ensure that the pace of change was managed. Further, the handover to Hong Kong in 1997 (which brought its own legal difficulties), was a headache for Conservative ministers whose manifesto committed them to no further large-scale migration.

A new generation of Tories with significantly less of an attachment to the concept of Commonwealth served to make it easier to bring in more restrictive legislation. No longer was maintaining positive relations with the Commonwealth countries a priority for those with responsibility for immigration policy. The notion that Britain had a duty towards the citizens of the Commonwealth became far less common among leading Tories. The paternalist, or ‘one-nation’, politicians were replaced by those with far less of a commitment to the former colonies. Out went Willie Whitelaw, Lord Carrington and Ian Gilmour; in came David Waddington and Tim Renton.

Policy proposals during this period went further in their scope than ever before. The Party’s 1979 manifesto committed it to setting up a register of Commonwealth wives and children. It did not happen, but the concept would have been unthinkable a decade or two earlier. In 1986, the Conservative government hardened its line on immigration by introducing a visa requirement for citizens from five countries that had been historically linked with the Commonwealth (India, Pakistan, Bangladesh, Ghana and Nigeria). The Tory politicians of a

generation earlier would not have comprehended treating these people – with whom they believed they shared common links – in such a way.

Unsurprisingly, perhaps, the evolution of a Conservative Party less interested in the Commonwealth coincided with a period in which the parliamentary party was notably tougher on immigration and immigrants. By the early to mid-1990s, there were no protests from Conservative backbenchers about the government's plans to fingerprint asylum seekers, to cut the benefits to which they were entitled, or to reduce the appeal rights of those refused visas. As the Tories' immigration policy took on a more hard-line stance, the Party became more willing to make use of the electoral potential of the immigration issue. Although there continued to be a collective sense among senior figures within the Party that controlling immigration was an unpleasant business, immigration policy during this time was now considered an opportunity to portray the Conservative Party as tough, competent and in touch with the electorate.

## **6.1 The development of Conservative immigration policy**

### **1979 to 1983**

On 3 May 1979, the Conservative Party won a landslide victory with 43.9 per cent of the vote. On an 8.1 per cent swing, and with 339 seats, the Conservatives believed they had received a strong mandate for change.<sup>2</sup> Immigration did not play a significant role in the election campaign; it was not one of the Party's five key policy pledges, most of which concentrated on economic concerns. The manifesto, however, included a comprehensive list of immigration-related proposals, which Messina has described as 'the most restrictive posture either major political party had ever adopted on non-white immigration':<sup>3</sup>

- (i) We shall introduce a new British Nationality Act to define entitlement to British citizenship and to the right of abode in this country. It will not adversely affect the right of anyone now permanently settled here.
- (ii) We shall end the practice of allowing permanent settlement for those who come here for a temporary stay.
- (iii) We shall limit entry of parents, grandparents and children over 18 to a small number of urgent compassionate cases.
- (iv) We shall end the concession introduced by the Labour government in 1974 to husbands and male fiancés.
- (v) We shall severely restrict the issue of work permits.
- (vi) We shall introduce a Register of those Commonwealth wives and children entitled to entry for settlement under the 1971 Immigration Act.
- (vii) We shall then introduce a quota system, covering everyone outside the European Community, to control all entry for settlement.
- (viii) We shall take firm action against illegal immigrants and overstayers and help those immigrants who genuinely wish to leave this country-but there can be no question of compulsory repatriation.<sup>4</sup>

The hard-line Conservative take on immigration was tested within weeks. Soon after the general election, Margaret Thatcher's government received a private request from a UN high commissioner who proposed that the UK take in some 10,000 refugees. The 'Vietnamese boat people' had fled Vietnam for Hong Kong, a British colony, where they were being housed in camps. The suggestion received a mixed reception from the Conservative Cabinet. The Prime Minister was against offering refuge on the grounds that it would be unfair (she believed it was 'quite wrong that immigrants should be given council housing whereas white citizens were not') and there might be issues with integration (she was said to have had 'far less objection' to those who could 'more easily be assimilated into British society').<sup>5</sup> The Foreign Secretary, Lord Carrington and Home Secretary, Willie Whitelaw believed it would be inhumane not to receive the refugees. Whitelaw even went so far as to promise a decrease

in other types of immigration (mostly dependants) if the refugees could be accommodated. Thatcher relented, and the ‘boat people’ were allowed to settle in the UK, with, at her suggestion, a phased entry over three years and priority given to English-speakers with no medical issues.<sup>6</sup>

In the event that anyone got the ‘wrong idea’, the Tory government took swift action to indicate that this was an exceptional case – and began drafting changes to the immigration and nationality rules.<sup>7</sup> The immigration minister was sent to the Indian sub-continent, apparently to investigate how the British posts were dealing with immigration cases in advance of the introduction of new rules.<sup>8</sup> The visit developed into something of a fact-finding mission, with the evidence, as noted by the minister’s private secretary, indicating that tighter control of immigration to the UK had never been more necessary.<sup>9</sup>

In meetings with local dignitaries, and on behalf of the Conservative government, the immigration minister, Timothy Raison, explained the reasoning behind the changes to policy. He argued that the UK had a ‘very limited’ capacity to take in more immigrants.<sup>10</sup> The British government was greatly concerned by unemployment in Britain, and feared that further immigration to the UK could worsen the matter. Raison also stated that the prospect of deteriorating community relations was a concern. When one Indian politician put forward a policy proposal to the Conservative government, the civil service were quick to counsel against. It had been suggested – and widely reported in the Indian press – that the British should introduce a visa requirement for all Indians travelling to the UK. This would allow for the British overseas posts to sort the ‘desirable’ from the ‘undesirable’ migrants in advance of their travelling to the UK, and so prevent Indians being turned away once they had reached British soil, as well as reducing queues at the airports. It would, however, have been difficult to defend a policy turning India into being the only Commonwealth country to have its own prior entry clearance system.<sup>11</sup> As one civil servant put it, the proposal was rooted in socio-cultural issues, with Indian citizens being less opposed to the often lengthy process of entering the UK, and more uncomfortable with ‘standing in a queue with those who they considered to be socially inferior’.<sup>12</sup>

While Conservative ministers were engaged in reconsidering immigration policy, their backbenchers were becoming discontented. One group of MPs met with Home Secretary Willie Whitelaw and then called for a meeting with the Prime Minister to further outline their concerns that the Party was delaying the implementation of some of its manifesto pledges. In a letter to the leadership, the need for changes to immigration policy was conflated with the growth in the size of ethnic minorities:

We believe that the party's manifesto commitments are the very least that are necessary and that they should be implemented without delay. The urgency is underlined by recent statistics for births and immigration, which show that for every six new ethnic Britons there is one new coloured citizen – a factor which on unchanged policies will be reflected in the eventual population make-up of the country, and which will be far exceeded in some of our towns and cities.<sup>13</sup>

Backbenchers warned that the Conservative Party would lose the votes of the white working class if it did not fulfil its manifesto pledges.<sup>14</sup> One MP told the leadership that ordinary voters were questioning whether the UK should allow the entry of immigrants – the strong implication being that it should not – and that even a reduction in numbers was unlikely to lessen deep-seated concerns. While Ian Gow's record of the meeting with Margaret Thatcher on 8 July 1980 referred to the MPs as 'counter-revolutionaries', the ordinary members of the Conservative Party did not seem out of step with the increasingly restrictive line. At an Executive Committee meeting of the National Union on 15 January 1981, third on the list of 24 resolutions submitted by constituency and area parties was a request from the Hemsworth Executive Committee that the Government 'stop all immigration'.<sup>15</sup>

Against this backdrop, the Conservatives introduced new immigration rules in 1981. With primary migration to the UK having been effectively ended in 1971, the new rules focused on reducing the level of secondary migration, in which relatives joined migrants already in the UK.<sup>16</sup> The 'Primary Purpose Rule', which had originated in the 1970s under a Labour government, passed into law.<sup>17</sup> Under the Rule, fiancés and spouses of British citizens could not enter the country unless their partner could prove that the primary purpose of marriage was *not* settlement in the UK. The elderly or ill parents of British citizens could not enter the UK unless they could show that they had no relatives in their own country who could support



them, that their living conditions abroad were well below the average, and that they were mainly, if not totally, dependant on their children.<sup>18</sup> It also became much more difficult, if not impossible, for migrants who had entered the UK on a temporary student or visitor visa to receive permission to settle in the country.

Shortly after the new rules were brought in, the Conservatives introduced a bill, which, for the first time, separated immigration from nationality law. The British Nationality Act of 1981, which came into effect two years later, was intended to rationalise existing legislation, which had become incoherent. In some cases, the rights of some categories of British subject meant that, for those holding the status, ‘their possession [...] [was] virtually meaningless’.<sup>19</sup> The British Nationality Act created a simplified three-tier model of British citizenship. The first category of British citizenship was for those with close ties (such as parents or grandparents) to the UK; they would have right of entry and of settlement. The second category – Citizenship of British Dependant Territories – was intended for those who had been born or naturalised, or descended from those in the few remaining dependencies (such as Hong Kong, the Falklands, Bermuda, the British Virgin Islands and Gibraltar).<sup>20</sup> The third category was British Overseas Citizenship, which was set aside for those who had been CUKC, and which was regarded as a ‘kind of dustbin category’.<sup>21</sup> It was something of a transitional grouping that ‘disposed of remaining claims to the United Kingdom from groups who were not recently descended from British emigrants’: there were no ‘rights’ for the holder (such as settlement in the UK), and the status could not be passed on.<sup>22</sup>

## 1983 to 1987

The general election of June 1983 returned the Conservative Party to office with 42.4 per cent of the vote and – unusually for the incumbent – a gain of 58 seats, leaving the Tories with 397 in total. John Major says that there was never any doubt that the Conservatives would win: the success over regaining the Falklands had made Thatcher ‘unbeatable’.<sup>23</sup> The Tory manifesto, while reiterating the Party’s previous record in controlling immigration,

contained little on future policy and there was no detail of what this would involve, only that ‘we will continue to pursue policies which are strict but fair’.<sup>24</sup> There do not appear to have been any plans for substantial changes to immigration policy during this period. One former immigration minister found that by the time he gained office in the early 1990s, the main issues had been ‘largely dealt with’ following the British Nationality Act (BNA) of 1981.<sup>25</sup>

The Falklands War of 1982 prompted the Conservatives to re-work the three-tier citizenship that the BNA had introduced. The Falkland Islanders had been designated British Dependant Territories (BDTC) citizens unless they had ‘close ties’ with the UK, such as a parent or even grandparent who had been born there. As a sign of the UK’s commitment to the Falkland Islands, the 1983 British Nationality (Falkland Islands) Act 1983 conferred full British citizenship status, giving residents of the Falkland Islands the right to visit and settle in the UK.<sup>26</sup> No further revision of immigration policy was expected; Conservative Cabinet members were not enthusiastic about making more changes to legislation in this field.<sup>27</sup>

As with the residents of the Falkland Islands, the three million British subjects in Hong Kong had become citizens of the BDT following the 1981 Act, and they too risked losing this status ‘in the face of an imminent takeover by an alien power’ – China, in this case.<sup>28</sup> The 1985 Hong Kong Act, however, was not intended solely to redefine the citizenship of Hong Kong residents. Instead, the legislation was to make arrangements for the ‘ending of British sovereignty and jurisdiction over Hong Kong’.<sup>29</sup> However, as part of the Act, those Hong Kongers with British Dependant Territory citizenship would lose their status in 1999. They would, however, be able to take on a new form of nationality – the category of British National (Overseas) or BNO, although this would give them few privileges: they would be subject to immigration controls and they would have no right to settle in the UK.

Further controls on immigration were introduced later that year, in response to ministers’ concerns that the worsening situation in Sri Lanka might lead to a rush of non-white immigrants to the UK. Although international observers represented the Tamils as fleeing violence and terror, Conservative ministers, ‘believe[d] that some of the Tamils who have entered [...] [were] try[ing] to better their economic prospects by settling in Britain’.<sup>30</sup> They

were to be treated as ordinary economic migrants rather than victims of conflict. As the number of Tamils entering the UK increased – though, admittedly, from a low base – the government informed the press that it was reconsidering its policy of not returning Tamils to Sri Lanka.

In May 1985, the Conservative government announced, that, in future, those who arrived without advance entry clearance – effectively a visa – would be returned to Sri Lanka ‘unless they could persuade immigration officers that they would face severe hardships’.<sup>31</sup> The decision was condemned by the UN High Commissioner for Refugees, who maintained that the situation in Sri Lanka was too volatile and too dangerous for Tamils to be returned. According to one newspaper, ‘a tendency was emerging to blur the boundary between the criteria used to assess immigrants and refugees’.<sup>32</sup> In a precursor to later legislation that would penalise carriers for transporting migrants without the correct documentation in 1987, one airline had begun carrying out the British government’s policy. British Airways refused to carry passengers from Sri Lanka if they did not have advance entry clearance for the UK and had not purchased a return ticket.<sup>33</sup>

In response to condemnation, the government argued that the measure had been imposed reluctantly and in response to the sudden increase in the number of Tamils entering the UK, which had been putting strain on the immigration system. It was maintained that the new requirement would, in fact, help those who did not qualify under the new rules as it would ‘save the cost and disappointment of wasted journeys’.<sup>34</sup> Opposition MPs claimed the government was panicking and disregarding human rights. One MP pointed out that the decision had been made during the parliamentary recess ‘so that it cannot be questioned by the Opposition’.<sup>35</sup> The hurried approach to this matter resulted in problems, including errors of judgement and procedure. In June, Home Secretary Leon Brittan announced an inquiry into how ‘a young Tamil seeking asylum in Britain was sent back to Sri Lanka [...] without refugee agencies being given the chance to make representations on his behalf’.<sup>36</sup>

In October 1985, it was announced that the Tories were considering introducing visa requirements for visitors entering Britain from some Asian, African and Caribbean

Commonwealth countries. The visa requirement, which had previously only applied to Tamils, had ‘virtually stopped’ the flow of Tamils to the UK.<sup>37</sup> The extension of the visa requirement could only be seen as a ‘hardening of the government’s stance on immigration’, in part because ‘visas [we]re often more difficult to acquire than clearance at port of entry and act as a deterrent’.<sup>38</sup> Immigrants from five particular countries would now need to obtain entry clearance before they set foot in the UK, which would, it was hoped, shorten queues and placate the immigration officers’ union and prevent walkouts and subsequent media publicity. In the words of one of the designers of the extended visa scheme, it was ‘a response to terrible pressure on the Immigration desk’ at the major airports.<sup>39</sup> Instead of dealing with what was a domestic, indeed local, situation (the immigration bottleneck at Heathrow), the government exported the problem abroad.

Throughout this period, the Conservative government feared backbenchers (of all parties) blocking the smooth running of the immigration process – and making efforts to liberalise the system by making representations on behalf of their constituents.<sup>40</sup> A growing level of correspondence from MPs meant that they came to be regarded by some ministers and civil servants as a ‘burden’ for carrying out their constituency duties and representing those constituents of theirs who were experiencing difficulties under immigration law.<sup>41</sup>

From 1985 onwards, attempts were made to downgrade – and even delegitimise – the rights of MPs with regard to immigration cases. Arguing that ‘[s]omething fishy [was] going on’, in October 1985, the immigration minister, David Waddington, made a series of claims about 23 MPs who had allegedly abused their positions and permitted the temporary entry of some 4,500 (ineligible) visitors into the country, against the decisions of immigration officers.<sup>42</sup> Home Secretary Douglas Hurd released new draft guidelines regarding parliamentarians’ right to intervene. There was to be a time limit on MPs’ rights to challenge refusals (12 days) and a requirement for ‘new and compelling evidence’ in cases where MPs were seeking to defer a deportation.<sup>43</sup> MPs promised to defy the guidelines on the grounds that they represented a breach of parliamentary privilege and a restriction on the rights of immigrants.<sup>44</sup>

In response to pressure from parliamentarians, the Home Secretary made a U-turn. MPs would continue to be able to make representations to Home Office ministers, rather than, as the original proposals had specified, be limited to liaising directly with chief immigration officers at ports of entry. While the Conservative government modified its policy, it refused to back down on the issue. Waddington ‘complained in the Commons that far too many immigration officers were having to sit in offices scribbling replies to MPs on immigration cases instead of processing applications for entry clearance’.<sup>45</sup> Over a year later, in October 1986, Hurd announced – to little fuss – that MPs would lose their right to ‘secure the temporary admission to Britain of passengers refused entry at air terminals and ports’.<sup>46</sup>

## 1987 to 1992

On 11 June 1987, the Conservatives once again secured a majority with a healthy 42.4 per cent of the vote – albeit a slightly reduced share, having lost 21 seats. The election was ‘won comfortably’.<sup>47</sup> Their campaign had not focused on immigration and their manifesto merely summarised their achievements of previous years (‘immigration for settlement is now at its lowest level’; ‘we now require visas for visitors from the Indian sub-continent, Nigeria and Ghana’; ‘tackling the problem of those who fraudulently pose as refugees’).<sup>48</sup> As for future policy, there was only one sentence: ‘We will tighten the existing law to ensure that the control over settlement becomes even more effective.’<sup>49</sup>

The passing of the Immigration Carriers Liability Act 1987 was a sign that the Conservatives were prepared to contract out responsibility for securing Britain’s borders. By 1987, carriers were taking on the responsibilities of immigration agencies, despite UN concerns that the policy might discourage carriers from transporting genuine refugees.<sup>50</sup> With companies which brought ‘non-genuine’ asylum seekers to the UK at risk of being fined up to £1000 a passenger, it was now the responsibility of these private corporations to determine whose claims were genuine.<sup>51</sup> The Conservative leadership practised a more anticipative rather than reactive approach to immigration policy. The legislation imposing responsibilities on carriers

was supposedly about preventing abuse of the asylum system, yet there was little evidence that this was occurring on a broad scale: the impact was never quantified. Douglas Hurd denied that recent events involving the Tamils had provoked the bill; instead legislation had been triggered by the arrival of more than 800 people claiming asylum in the UK between December 1986 and February 1987 – nearly twice the number for all of the previous year and the majority of whom were Tamils. Hurd said ‘I believe we would be strongly, and rightly, criticized if we delayed our action until the trickle became a flood, as more and more people began to use the loophole.’<sup>52</sup>

The subsequent Immigration Act of 1988 was a tidying exercise which allowed the Conservatives to show a tougher line: it gave the authorities more powers to deal with overstayers and illegal immigrants. It also limited the entry of dependants of those Commonwealth citizens who had settled in the UK before 1973.<sup>53</sup>

Towards the end of the late 1980s, events in Hong Kong – and the legal situation regarding the then future handover to China – created difficulties for Conservatives intent on maintaining a strict restrictive immigration policy. The 1985 Hong Kong Act had created a non-transferable category of British nationality for Hong Kongers – British National Overseas or BN(O), which had replaced the category of BDTC. One citizen maintained that he and other non-Chinese Hong Kongers were ‘the victims of Occidental and Oriental racial prejudices [with] Britain [...] striving to stem the influx of brown-skinned immigrants [and] China [...] reluctant to grant citizenship to anyone who is not ethnic Chinese’.<sup>54</sup>

The Hong Kong issue exposed a tension between ministers keen to fulfil their responsibilities towards people who were entitled to British passports (and those fleeing to Hong Kong from Vietnam) and a British public adamant that the Hong Kong British should not be allowed into the UK, let alone have the right of abode. The then Home Secretary, Douglas Hurd felt duty-bound: ‘I didn’t want this last chapter of British empire to come about in circumstances which would look dreadful’.<sup>55</sup> In an interview in 1989, the Conservative MP John Carlisle relayed his message to ministers: ‘They should say, “We’re sorry, this particular door is not just shut; it’s slammed”’.<sup>56</sup>

The Conservative government did not wish to ‘offend’ Peking, which had said that the status of the non-Chinese was a ‘British problem’ yet the Tories could not be seen to be ‘giving in’.<sup>57</sup> In June 1989 it was announced that Britain would not ‘give sanctuary’; the UK could not be a ‘last resort’ option for the three million of Hong Kong’s Chinese residents.<sup>58</sup> Conservative MPs backed their leadership on the issue, with one arguing that it would be ‘heartless for the Government to hold out to nearly four million people the hope that the solution to their problems lay in immigrating to the United Kingdom’.<sup>59</sup> Perhaps in a concession to political and media pressure, it was reported that there would be slightly more flexibility, most likely with regard to former Crown servants, although there was little in the way of further details.<sup>60</sup>

A few days later, Thatcher reconsidered the Hong Kong issue. There had been a change of tone in the parliamentary party, following Thatcher’s comments in the Commons that the government was seeking ways of allowing more Hong Kong citizens to enter the country within the existing rules. The Governor of Hong Kong relayed that, during a meeting with Thatcher, she had argued that allowing unfettered access of abode to all Hong Kong citizens would be a matter of great political difficulty.<sup>61</sup> A poll for *The Sun* in early July found that 65 per cent of the public rejected the prospect of three million Hong Kongers entering the UK.<sup>62</sup> Britain was said to be ‘bound by its tough immigration laws’.<sup>63</sup> Among ordinary Conservative MPs and supporters, opposition was reported to be ‘overwhelming’.<sup>64</sup> One senior minister argued that a Conservative government would not be able to pass such a change on immigration rules. A junior minister was reported to have said ‘How would you like a Hong Kong family living next to you?’<sup>65</sup>

Months later, in October of that year, the Prime Minister said – at the Commonwealth conference – that Britain would extend the right of abode to more Hong Kong people than it had previously been willing. Post-Tiananmen Square, ‘trust was shattered’ and the Tories were ‘jolted [...] into a few hasty concessions’.<sup>66</sup> The amended scheme would extend the right to new categories of Hong Kong people.<sup>67</sup> But backbenchers were still not content with the Hong Kong issue. On 16 December 1989, it was reported that the ‘Tory rebellion’ might exacerbate fears of a Hong Kong exodus. At a meeting of the 1922 Committee, there was

criticism of Thatcher's decision earlier in the week to offer full passports (with right of abode) to 50,000 professionals, public servants and businesspeople – along with their families – to a total of 175,000 people.<sup>68</sup> The media reported that up to 60 Conservative MPs could vote against the measures.<sup>69</sup> One rebel, Carlisle argued that admitting the Hong Kong Chinese might well damage the Conservative Party in electoral terms:

The other thing is that we're not the political flavour of the month at the moment and one of the few things people do feel we're strong on is immigration. And if the Government weakens now, it is yet another pit prop taken away from under us. A great deal of resentment would build up, and I think it would be foolish to risk that, and frankly their first obligation must be to the people of this country, and not another.<sup>70</sup>

Carlisle maintained that the Party's stance on immigration had won him his parliamentary seat: 'It was Mrs Thatcher who [...] supported the policy of strong immigration control and that was the reason why I won my marginal seat by 200 votes; taking that line'.<sup>71</sup> Carlisle also made a claim which chimed with senior Party figures who were fearful of a widening gap between the elites and the electorate: 'I think there is one thing that actually unites the Conservative Party, and people outside [...] and that is immigration. So there would be no compromise'.<sup>72</sup>

The finalised scheme was announced by Foreign Secretary Douglas Hurd on 20 December 1989. Passports with full entry rights would be granted to 50,000 Hong Kong 'heads of families' and their dependants, to reach a total of some 225,000 people. It was, apparently, 'the outcome of a delicate tightrope act by ministers' forced to straddle a line between the elites' notions of duty and responsibility and an immigrant-hostile public.<sup>73</sup> Hurd had pushed for a higher number, and Waddington, fewer, and the Prime Minister was 'torn by both sides'; she arrived at the final number by 'split[ting] the difference'.<sup>74</sup> The figure needed to be low enough to pass muster with Tory MPs who could, conceivably, have not allowed the bill to pass. (Britain's 'unwelcoming message' was so well executed that the quota of 50,000 was not filled.)<sup>75</sup>

The views of backbenchers were deemed to be of great importance to policy-makers; legislation on the matter was not yet forthcoming, supposedly because ministers 'wish[ed] to



test backbench opinion further'.<sup>76</sup> The former Cabinet minister, Norman Tebbit, and his fellow backbenchers, were still unsatisfied. After the proposals were announced, Tebbit questioned Conservative integrity, asking whether the Party's commitment to end large-scale immigration still existed.<sup>77</sup> He argued that immigration was an issue which had pushed traditional Labour voters to support Margaret Thatcher.<sup>78</sup> The rebellion showed no signs of winding down while Parliament was in recess. On 6 January 1990, it was reported that ministers had 'underestimated the hostility of Tory MPs' over the Hong Kong legislation and that whips would face a 'nightmare task to ensure smooth passage of the legislation'.<sup>79</sup> An encounter with Francis Maude, then junior Foreign Office minister and Tebbit is illustrative of the divide in attitudes between them, even if Tebbit was not being entirely serious.

'How many would you allow in?' demanded an exasperated Francis Maude as he remonstrated with a group of Tory MPs in the House of Commons tea room. 'About twelve,' said Norman Tebbit. The Foreign Office minister reacted with incredulity. 'What, 12,000?'. 'No,' Mr Tebbit said, 'twelve.'<sup>80</sup>

The Conservatives were fortunate to be in office when one particular case crossed their desks, for it allowed the Party to portray its policies as both sensible and tough on immigration and immigrants. This was the case of the Sri Lankan illegal immigrant who spent many months in a Manchester church to avoid deportation before he was removed by police and immigration officers in January 1989.<sup>81</sup> According to Roy Hattersley, Viraj Mendis was something of a 'test' for the Government; he was 'like a minor character in a morality play, written into the plot to test the wisdom, the compassion and, above all, the patience of those whose paths he crosses'.<sup>82</sup> He argued that:

It was absurd to spend so much time and money deporting a man who by no stretch of ministerial hyperbole could be described as a danger to society. [...] They made an example of him to discourage the others.<sup>83</sup>

Others saw the Mendis case as a chance for Conservative factions to prove themselves:

[I]f the whole episode had been orchestrated by a government PR firm with a brief to give the immigration laws a more favourable image, it could not have been better handled. The point about Mendis was that he provided an excellent non-test case, illustrating the government's get-tough attitude on immigration at no political cost.<sup>84</sup>

By summer 1989, the Party was looking tired; the UK was moving towards a recession, unemployment rates were increasing and high interest and mortgage rates were driving away Conservative supporters. Conservative activists were sceptical that the Party could win the next election, and Conservative MPs too were similarly doubtful, particularly of the leadership of Thatcher, whose support base had never been particularly broad within the parliamentary party. In late 1990, Thatcher was replaced by John Major, who was reluctant to squeeze votes out of the immigration issue. However, the matter did not go away. First, an increase in the number of asylum applications initiated further policy work.<sup>85</sup> Kenneth Baker became Home Secretary in 1990 and recalled that during this period the UK experienced a huge rise in asylum seeking, from a typical 5,000 applications a year in the mid-1980s increasing to 45,000 in 1991.<sup>86</sup> In his view, ‘some of them were genuine asylum seekers, but many were economic migrants, quite frankly [...] and there was a great business in manufacturing false stories going’.<sup>87</sup>

Conservative ministers concluded that something had to be done or it would get worse: ‘it had got around the world that you could move for all sorts of reasons other than asylum and claim asylum’.<sup>88</sup> Policy changes were considered in an attempt to discourage false applications, with the Home Secretary and the Foreign Secretary working jointly on a proposal to remove people from Heathrow – before applications could be made – and return them to their country of origin. Baker concluded that it was an ‘impossible concept’, it was not possible to ‘delineate Heathrow to not be a part of Britain, and then turn them back’.<sup>89</sup>

In their attempts to ‘put some sort of handbrake’ on immigration, Baker pushed for new legislation to expedite the process of assessing applications and appeals, so that the entire process could be completed within 12 weeks, rather than, as it then stood, at several years.<sup>90</sup> Plans were also made to remove entitlement to various social security benefits for asylum seekers, and it was proposed to fingerprint applicants to prevent impersonation. However, in the months leading up to the election in 1992, there were fears that the Asylum and Immigration Appeals Bill would be dropped, owing to a shortage of time.<sup>91</sup> The Labour Party offered to do a deal with the government, in which they would support the legislation in return for several concessions. The immigration minister Peter Lloyd believed that the

concessions would reduce the effectiveness of the controls and the deal was not seriously considered by the Conservatives.<sup>92</sup>

The handover to Hong Kong continued to provoke consternation within the parliamentary party. Given the hostile environment from the Party's own backbenchers, it is no surprise that, shortly before the general election, the Tories pulled out one of their trump cards. In the final week of the campaign, and with the reluctant support of John Major and Chris Patten, the Home Secretary, Kenneth Baker, made a last-minute speech warning of the dangers of uncontrolled immigration, which he referred to as 'one of the biggest problems facing the world in the 1990s'.<sup>93</sup>

## 1992 to 1997

The 1992 general election returned the Conservatives to office with 336 seats, a loss of 40, on a vote share of 41.9 per cent. The manifesto was more extensive on immigration policy than the previous two manifestos. Noting that 'immigration for settlement is now at its lowest level since control of Commonwealth immigration first began in 1962', the Party promised to 'tighten the existing law to ensure that the control over settlement becomes even more effective'.<sup>94</sup> Most notable, however, was the emphasis on asylum seekers as abusers of the system, with the manifesto noting the 'increasing number of would-be immigrants from Eastern Europe and other parts of the world [who] seek to abuse our openness to genuine refugees'.<sup>95</sup> The campaign itself, however, was less focused on immigration than one might expect; apparently, according to one contemporary, because of leader John Major, whose 'decency would not want to make a big issue out of it'.<sup>96</sup>

By now, most forms of immigration had been 'choked off'.<sup>97</sup> The level of migration to the UK was around 50,000 a year, a 'manageable and necessary figure which was more than matched by emigration'.<sup>98</sup> Asylum figures were decreasing too, with the number of applicants for asylum falling to less than 25,000 in the early 1990s.<sup>99</sup> And yet, the 1990s

period was notable for its continued emphasis on tightening up the rules relating to asylum seeking. It was suspected by some Tory ministers that economic migrants were still using the asylum route to get around restrictions on previous routes.<sup>100</sup> One Home Office minister referred to the situation as ‘completely out of control’.<sup>101</sup>

The Conservatives had pledged to reintroduce their Asylum Bill, which had run out of time in the previous parliament following extensive criticism. They had proposed to revise and expedite the system for examining the claims of asylum seekers, and introduce finger printing for asylum applicants to discourage fraudulent applications. It therefore fell to Ken Clarke, now Home Secretary, to get this through parliament – with some additions. The 1993 Asylum and Immigration Appeals Act brought in new, stream-lined procedures for applications, permitted the detention of asylum seekers while their claim was being decided and also decreased the monetary value of benefits to which asylum seekers were entitled. A new category of ‘claims without foundation’, intended for those who came from ‘safe countries’ was brought in, so that applicants in this category would be subject to a much reduced timeframe for appeal.<sup>102</sup> Clarke did ‘concede’ to church leaders, the Bar Society, and Law Society by bringing in an automatic right of appeal for those who had been rejected asylum status, but he did also introduce a measure that removed the right of appeal from those who had been denied a visitor visa and for those immigrants whose grounds for appeal were regarded to be unfounded.<sup>103</sup>

The Conservatives’ 1996 Immigration and Asylum Act was in much the same vein with new measures designed to reduce the number of asylum claims. Those asylum seekers who came from ‘safe’ third countries’ no longer had *any* right to appeal.<sup>104</sup> More asylum seekers than ever before were subject to the fast track procedures, in which the timeframe for appeal was significantly limited.<sup>105</sup> Along with further welfare restrictions imposed on asylum seekers, it became a criminal offence to employ someone who did not have permission to work in the UK.

In the final years of this period, Conservative ministers were following opinion polls more closely. While senior figures did not believe the public to be much concerned by statistical

data ('I don't think the public thinks in terms of figures' said one former Home Secretary) there was very much an understanding that the government would need to show understanding of the challenges raised by immigration – and clearly point to the impact that its policies had had (because 'people need to feel it's under control').<sup>106</sup> Meanwhile certain Conservative parliamentary candidates were espousing policies that were receiving currency within the Party. One former Home Secretary found it problematic that immigration policy could either be driven by 'what is in the public interest, which you should do' or by what 'the people in the Party, the successful candidates want you to do, because they've said on that platform that we will do it'.<sup>107</sup>

Other senior members within the Party were coming to terms with the idea that the populist rhetoric on immigration – while tempting to certain parliamentary candidates would, in the mid- to long-term, bring few votes. One former immigration minister, Peter Lloyd, saw it as short-sighted because 'it was so obvious that there was going to come a time when the immigrant vote would be as important to us as the red-neck vote'.<sup>108</sup> Such a strategy would not help the Conservative Party, but could well damage it. It was a misdirected approach to certain elements of the electorate:

politically, it was stupid, why make out the Conservative Party was hostile to immigrants when in fact the irony was that the people who were most hostile [to immigrants] were often Labour-voting working-class people [...] it didn't make any sense politically.<sup>109</sup>

## **6.2 Explaining Conservative immigration policy**

### **The dynamics of government versus opposition**

My first proposition contends that the process and the content of policy-making is dependent on whether the Party is in office or in opposition. From 1979 to 1997, the Conservative Party enjoyed a continuous period in government, and so, while the proposition cannot, strictly

speaking, explain policy development within this period as there is no variation in the variable, I tentatively argue that this proposition is still of use. As the period of opposition became a distant memory for the Party, and the Conservatives became used to the restraining influence of being in government, the Party's immigration policy grew more pragmatic. There were fewer grand undertakings, such as the 1979 manifesto pledge to introduce a register of dependants of every Commonwealth citizen. Towards the end of this era, policy was developed in a stealthier way so as to side-line certain expected obstacles, such as parliamentary opposition.

### **1979 to 1983**

During the first parliament of the period, the proposition is particularly relevant, with the Conservative government of 1979 finding itself unable to fully implement many of the restrictionist proposals that it had pledged while in opposition. What prevented a newly-elected Conservative government, fresh from a landslide victory, from implementing its policies? The Conservatives had to quickly adjust from the 'politics of support' to the 'politics of power'. The Party – and its policies – were forced to adapt or be adapted by the practicalities of governing (namely legal obligations, economic imperatives and international relations). There were previously unconsidered impediments to policy, and there were new influences on policy-making.

First, legal matters served to delay and influence policy, with measures almost certainly weakened so as to reduce the possibility of lengthy legal challenges. In 1980, the Home Secretary and Foreign Secretary warned their colleagues that the '[European] Commission's decisions pose a real threat to aspects of our policy.'<sup>110</sup> Legal advisers argued that the new immigration rules were likely to be challenged at Strasbourg, and that the changes would be 'extremely difficult to defend'.<sup>111</sup> Civil servants advised their staff that ministers had always been aware of the possibility of a successful challenge, but that this was to remain confidential. The line to be taken with enquirers was that '[t]he government is confident of

successfully defeating such a challenge’ – even when it certainly was not.<sup>112</sup> Frustration at European ‘interference’ with UK immigration policies would soon become a key component of Tory Euroscepticism, and later, an important faultline leading up to the UK’s decision to vote to leave the EU.

Despite the tough stance, the Party’s policy on immigration was revised so as to avoid legal difficulties. International legal obligations frequently superseded the policy preferences of the Party’s own supporters. During a Cabinet meeting in late 1979, Home Secretary Willie Whitelaw laid down a proposal to ‘end the practice of allowing permanent settlement to those who come here for a temporary stay’.<sup>113</sup> A step in the restrictionist direction, certainly, but this was something of a compromise: the Home Secretary had considered ‘the risk of criticism from our own supporters’ for not going further and removing the right to settle for work permit holders and their dependants too.<sup>114</sup> However, Whitelaw feared that such measures would be obstructed by greater forces and that ‘because of our international obligations, we cannot sensibly go further’.<sup>115</sup>

Second, for the Conservatives in government, economic imperatives overruled tough initiatives which would have reduced the pool of migrant labour. The Tories were less dogmatic than they had been in opposition; they were prepared to yield to economic rationale at the expense of immigration policy objectives. The Permanent Secretary of the Home Office at the time recalled that ‘[t]he economy was a damned sight more important than bloody immigration’.<sup>116</sup> The critical importance of business to the UK economy prevented ministers from pursuing more restrictive immigration policy. Ministers and civil servants believed that prolonged debate over the immigration issue should be avoided so as not to damage what were termed ‘Indo/British relations and some specific British [economic] interests’.<sup>117</sup> In one unlikely instance, a Conservative minister proposed to make immigration *easier*. Admittedly, it was for ‘those [...] who matter to us’.<sup>118</sup> In 1979, Timothy Raison, the junior foreign minister, suggested that visitors of influence be given shorter interviews so that, in the words of one official, they do not ‘stir up unfair publicity for immigration control’.<sup>119</sup> The proposal came shortly after an incident in which an Indian minister spoke of his having experienced ‘inconvenience and delay’ at the UK border.<sup>120</sup>

In one similar case in which economic imperatives trumped the objective of reducing the flow of immigrants to the UK, the Foreign Secretary, Lord Carrington, asked Whitelaw in March 1981 to look again at the ‘urgent’ matter of concessions for some Indian immigrants to the UK. The request was not to remove concessions, as one might expect within broader Conservative immigration policy, but to *introduce* concessions. The letter came shortly before Margaret Thatcher’s visit to India in 1981, and following what were euphemistically referred to as ‘certain developments’. The success of the visit, it was said, depended on whether a £1 billion steel contract was awarded by the Indians to a British consortium or a German one; the two companies were, technically, ‘neck and neck’. Carrington concluded that ‘it would be greatly to our advantage to make a concession very soon [such as] a doubling of the existing annual quota’ for UK passport-holders from India. Carrington suggested that the Tories make plans so that ‘a concession on UKPH does not lead to a significant increase in the annual rate of immigration from India and to find a way of conveying publicly, if necessary, that it will not’.<sup>121</sup> Later that year, in September 1981, Cabinet was informed that the contract had been awarded to the British-led consortium Davy McKee Ltd.<sup>122</sup>

Third, the Conservative government’s level of interest in the decisions of other countries was such that policy was modified following comments or criticism from overseas governments. This inclination to modify policy could be seen as a strategic move to avoid prolonged discussion of the Conservatives’ preferred British immigration policy. The willingness to listen to other governments was no secret: one lobby briefing explicitly stated that ‘our attitude to the number of refugees we were willing to consider taking would be *influenced by the attitude of other countries*’ (my italics).<sup>123</sup>

Certain small regions had an impact on policy-making that was disproportionately greater than their status on the world stage. When, during the early-1980s, the Conservative government proposed to split citizenship of the UK and colonies into *two* parts as part of the Nationality Bill, the proposal was condemned by the Dependant Territories, which made direct protests to the Foreign Office. They had ‘strong objections’ to the proposal because they regarded the new British Overseas Citizenship as second-class, and they disliked the fact that CUKC with direct relations with the British government through their links with



dependant territories ‘would be lumped together with those who belong nowhere’.<sup>124</sup> It was Foreign Secretary Lord Carrington who suggested that the British government ‘meet the concerns’ of these governments and establish a *three*-tier system.<sup>125</sup> The alternative system was implemented – against the advice of civil servants. The Act reclassified the previous Citizenship of the United Kingdom and Colonies (CUKC) into three categories with varying levels of rights.

### **1983 to 1987**

During the mid-1980s, the Conservative Party’s immigration policy was both more moderate and more modest in scope. The more restrained agenda for immigration policy can be partly explained by the Conservatives’ recent experience in government, in which, having shifted into the ‘politics of power’ mode, there was a much greater understanding of what was and what was not realistic. That is not to say, however, that the path of policy-making was a simple one: there continued to be obstacles that served to complicate the making of immigration policy.

Legal issues continued to impede the Tories’ plans, particularly as the government was now receiving frequent criticism from the UK courts as well as the wider international legal system. The entry rules, which had applied since 1980, had already been amended by 1983 (after much international criticism) to allow *women* with British citizenship to bring foreign husbands into the UK – but only if they could prove that the marriage was not for the purpose of immigration. The policy did not survive the declaration from the ECHR in May 1985 that the Conservative government’s immigration rules were unlawful. The rules were found to have discriminated against women: ‘under the rules, foreign men with full residency rights in the UK can bring in their wives or fiancées, but foreign women cannot’.<sup>126</sup>

The Conservative government response was clear: changes would have to be made to policy. There were two possible options for the Tories: they could make the rules more liberal by

allowing foreign husbands and fiancés to enter the UK, or they could go in a different direction and exclude all foreign wives and fiancées. The first option would mean putting aside the Conservatives' 1979 manifesto pledge to prevent foreign husbands and fiancés from entering the country. However, the second option would lead to a 'political furore' as many (white) women would be banned from joining their husbands in the UK.<sup>127</sup> In response to the ECHR ruling, the Conservative government announced that it would tighten up matters further still. New rules would make it more difficult for *men as well as women* who had settled in the UK but were not British citizens to be joined by their spouses from abroad.

If legal matters were not enough of a problem for the Tory government, they were also forced to contend with parliamentarians who were considerably obstructive with regard to government policy on immigration. A greater level of rebelliousness by Conservative backbenchers meant that the leadership were forced to pay close attention to their disgruntled MPs. Policy was revised, and concessions were sometimes made, following parliamentary discussion. In Party papers, reference was made to 'the Government's flexible response' in that it proved 'willing and able to make significant amendment to the proposals in the White Paper in the light of constructive criticism'.<sup>128</sup> Such concessions were framed so as not to worry Party members and supporters. Parliament was, repeatedly, blamed as an obstruction to carrying out policy commitments. In a draft letter from the personal assistant to the Chairman of the Conservative Party (who also held the position of Director of Research at CRD) to a disgruntled party supporter, it was confirmed that:

It remains the intention of our party to bring to an end immigration on the scale in which it has been seen in post-war years. *Because of Parliamentary Opposition* it was only in March this year that we were able to bring into effect changes in the Rules governing immigration into the United Kingdom.<sup>129</sup> (my italics)

## 1987 to 1992

In 1987, the Party secured its third successive victory, and again, as befits a party in the mode of 'politics of power', offered little in the way of immigration policy that was column-worthy.

The Conservative Party's strongly worded – yet vague – policy commitment is characteristic of a Party which has become used to government; the Tories had a greater sense of what was realistic. The then Home Secretary, Douglas Hurd, later recalled that there were practical reasons for keeping the immigration issue low-key in the run up to the election: 'We weren't anxious to see it pushed into the front of the discussion, because if we won, we'd have to handle it and it wouldn't be good if everything was in a feverish state of expectation'.<sup>130</sup> As in previous parliaments, the Tory government sought to anticipate critical interventions from legal bodies as well as from parliamentarians.

Immigration policy in this period was pursued in a less public way – that is, by stealth, and without necessarily resorting to the statute books – to bypass both of these potential obstacles. In the previous parliament, a leaked internal Home Office document had detailed how deliberate procedural delays were intended to prevent (legal) immigration. It was an echo of past government policy in which administrative or 'soft' controls attempted to keep immigration numbers from rising. The document, which was intended as a briefing for ministers, explained that the number of Entry Clearance Officers, or ECOs, on duty was 'the primary regulator' of levels of immigration. The document warned that public acknowledgment of what it referred to as 'a policy of deliberate delay without legislation giving powers to impose quotas' could be vulnerable to legal action both in the British courts and at the international level. Previously, the long waiting time, on average 22 months for those waiting to enter from Bangladesh, and 11 months for those from Pakistan, had been explained with regard to the lack of resources.<sup>131</sup>

Making policy on the quiet was a response to the Conservatives' growing exasperation to legal bodies causing issues for the government. Hurd, the then Home Secretary, argued that the judiciary's interventions 'made it easier for people to stay in this country' by undermining existing policy and pushing policy development in a more liberal direction.<sup>132</sup> There were numerous cases (mostly by the Court of Appeal) in which individuals' rights to apply for asylum in the UK were upheld by the courts, or those who had been wrongly deported were ordered to be re-admitted. One court hearing against the deportation of three Tamils in September 1987 was described in the media as:

the latest bout in the contest between the Government and the courts, a contest which the Government has lost so often and so bruisingly it has concluded that if it can't win by the old rules, then the rules will have to be changed.<sup>133</sup>

The Conservative government was said to be so frustrated by the courts' interventions that it planned to curb judicial review, and consequently, the drafting of *all* new legislation was being developed with that consideration in mind.<sup>134</sup> But why were the courts suddenly so receptive to such hearings? From the late 1970s onwards there had been a changing of the guard: in came younger, and more progressive judges – or, in the words of one former minister, 'liberal unrealists'.<sup>135</sup> When the Tamils won their deportation reprieve, the government did not, *could not*, under such pressure, give up; it was already seeking to undo the judgement when it came in.<sup>136</sup>

If interventions by legal bodies were not enough of a constraint on policy-making, there were also the efforts of backbenchers to wreck Conservative immigration policy to control immigration. For Cabinet ministers, MPs continued to be troublesome throughout the mid-late 1980s and beyond. The Home Secretary made attempt to limits parliamentarians' rights to make representations on behalf of immigrants. In November 1987, when the second reading of the bill was going through, it was reported that Hurd would make 'new arrangements' for MPs so as to prevent their 'detracting from proper exercise of ministers' responsibility'.<sup>137</sup>

Compared with the two previous Conservative governments, the government of 1987 onwards played less heed to maintaining reasonable international relations. During the late 1980s, international relations were threatened by the Conservative government's stance on Vietnamese immigrants in Hong Kong, which was then a region under UK mandate. The UK's decision to remove Vietnamese 'boat people' from Hong Kong was severely criticised by the US government. Margaret Thatcher, however, criticised those who had condemned the decision: 'Those countries who object very strongly when it comes to repatriating illegal immigrants should say "right, we will take so many ourselves"'.<sup>138</sup>

## 1992 to 1997

By the final parliament of this period, the Conservatives, during their fourth consecutive term in office, were quite conscious of what they had previously achieved and which objectives would be practical over the coming years. Immigration policy was in part a response to the sudden increase in the number of asylum seekers to the UK; it was more pragmatic and more reactive than previously. There was a sense in which the Party was growing tired: John Major, in response to critics who had condemned the 1992 election for lacking a big idea, said ‘[q]uite what they expected after 12 years of Conservative government I am not sure’.<sup>139</sup>

Unfortunately for the Party, the unexpected victory of 1992 led to a ‘dangerous over confidence’ for the Conservatives.<sup>140</sup> They believed they would be in office for the foreseeable future, and complacency meant they were less focused on developing policy and more likely to indulge in petty internal squabbles. Major later said that it was ‘right’ for the country that the Conservatives won the 1992 election, but ‘had the party chosen to behave like a party of government in the five years after our election, it would have been good for the Conservative Party too’.<sup>141</sup>

However, by and large, the Party was mindful of the gap between the popular if unfeasible and that which was less headline-grabbing but more likely to be implemented. Appeal rights for those who had failed to secure a visa or obtain asylum, for example, were whittled down. There was certainly a sense among Tory ministers that they should only set out to do what was possible. Douglas Hurd, the Foreign Secretary for much of this period, maintained that ‘you’ve got to minimise that gap. If there is a gap [...] you pay a heavy penalty if you neglect what you’ve promised.’<sup>142</sup>

Of course, there were obstacles to Conservative attempts to reduce levels of migration and toughen the system for asylum applicants, many of whom, ministers believed, were in fact economic migrants. The judiciary continued to play a role in frustrating the Conservatives’ immigration policy. In one notable case the Home Secretary Kenneth Baker was held to be in contempt of court for defying a court order which banned the deportation of an asylum

seeker.<sup>143</sup> His immigration minister, Peter Lloyd recalled that it was a misunderstanding, but acknowledged that there were difficulties with the judiciary.<sup>144</sup>

The weariness that John Major had alluded to in 1992 did not leave the Party: to some onlookers, the Conservatives seemed tired and complacent. The Tories's '[d]efective internal management' resulted in 'steadily rising level[s] of bitterness over "Europe"'.<sup>145</sup> Simultaneously, Conservative politicians were found to be involved in scandals and errors of judgement.<sup>146</sup> The steady drip of 'sleaze, Europe and short-term dramas' had an impact on Tory morale.<sup>147</sup> Prime Minister Major was left 'vainly trying to reconcile the divisions and to manage an unmanageable party'.<sup>148</sup> Even worse, the Party was left close to unelectable.<sup>149</sup> No wonder then, that the Tories of 1997 were showing 'the characteristic signs of a party on its way out'.<sup>150</sup>

## Electoral considerations, leadership and factions

My second proposition suggests that the Conservative Party's immigration policies are in a part a product of three factors: the Party's electoral performance, or its fear of electoral defeat; the Party's leadership and their position on immigration; as well as the factions that, to a greater or lesser extent, run, or aspire to run, the Party. While these factors are analysed here separately as standalone influences on policy-making, they are, in many ways, inextricably linked. During the period from 1979 to 1997, the leadership (of both Margaret Thatcher and John Major) played a significant role in the development of immigration policy with regard to its tone as well as its content. Factions were of importance throughout this time, but were perhaps more of a substantial influence in the middle and final parts of the era, during which a more ideological, right-wing faction gained prominence over the more traditional one-nation wing of the Tory Party. While the opinion polls showed fluctuating support for the Conservatives, there is little evidence that fear of electoral defeat was a significant or consistent motivating factor behind changes to immigration policy, other than a general need to show a tough approach to the issue.

## 1979 to 1983

### Leadership

During this parliament, the leadership was critical in ensuring that the disputes over immigration policy did not develop into something more damaging for the Party: it was Margaret Thatcher who made the decision to put policy to one side. The priority, as she saw it, was the unity of the Party. At one Cabinet meeting in 1982, she acknowledged the ‘considerable anger’ against the Conservative MPs who had voted against government legislation on new immigration rules.<sup>151</sup> She maintained, however, that it was ‘of the utmost importance that further damaging divisions within the Conservative Party on this issue should be avoided’.<sup>152</sup>

As leader of the Party, Thatcher seems to have had a profound – and personal – influence on immigration policy, and in particular, its ad-hoc formation. She was notable for her interventionist approach and personal interest in policy. There are some indications, however, that Thatcher was prevented from using, or perhaps exploiting to its full extent, the immigration issue, mainly by her more moderate colleagues. Whitelaw not only ‘refused to let her’ do this in opposition; as Home Secretary, he also ‘ensured that it [migration] was kept entirely out of the 1983 campaign’.<sup>153</sup> References to immigration in the manifesto of that campaign were relatively limited and fairly insipid (‘strict but fair’).<sup>154</sup> Whitelaw was not the only one to hold her back:

Beyond armchair psychology, Thatcher’s approach to immigration reflected the pursuit of an explicit political aim. Throughout her career as leader of the Opposition and Prime Minister, Thatcher was not, and could not be, as far to the ideological right as she claimed, and her strongest supporters expected her to be. Her Cabinet colleagues [...] would not have it.<sup>155</sup>

Beyond these instances, Thatcher’s leadership was not particularly restrained by her colleagues in government, at least on the matter of immigration. This might be seen as unexpected: she had, after all, ‘inherited’ most of her Shadow Cabinet from her predecessor, Edward Heath, and she had brought most of them into office with her – despite the ideological

differences. The paternalist or one-nation wing of the Conservative Party was heavily represented with Willie Whitelaw at the Home Office, Lord Carrington and Ian Gilmour at the Foreign Office and Lord Soames as Leader of the House.<sup>156</sup> Thatcher had been ‘characteristically cautious’ when forming her first Cabinet; she had to make use of senior Tories who did not share her outlook, in part because they were experienced and capable, and partly so as not to cause division.<sup>157</sup> Many of her colleagues ‘expected her to fail’; Gilmour and others did not think Thatcher or her policies would be around for long.<sup>158</sup> Perhaps these low expectations explain the Conservative Cabinet’s willingness to allow her to drive immigration policy (nearly) singlehandedly.

## Factions

Although the changes to immigration policy during this parliament may not have been momentous, disputes between different factions of the Conservative Party were so serious that, at times, it was feared that the Conservative government’s proposals would not pass. One incident deeply worried ministers, according to the Cabinet minutes of 28 October 1982.<sup>159</sup> The Home Secretary argued that the changes to immigration rules had to be put in place following the British Nationality Act 1981. However, there were complications; regardless of the outcome, one of two groups of supporters on either side of the issue would be seriously disappointed:

The recently published White Paper containing the Government’s proposals had been fiercely attacked by a group of their own supporters [...] It was, however, clear that *any proposals which would satisfy this group would meet with equally strong opposition from a similar number of other Government supporters*, and would be impossible to carry in the House of Lords (my italics).<sup>160</sup>

This was not just one isolated incident and there was much more at stake than the potential failure to pass one piece of legislation. The loss of the vote might have meant that a ‘long and damaging dispute would almost certainly break out within the Conservative Party, and it



would become difficult to secure Parliamentary authority for any new Immigration Rules'.<sup>161</sup> When the government *was* defeated in the Commons during a division against the new Immigration Rules on 15 December 1982, and despite the 'strenuous efforts' of the Home Secretary (or so he himself said), the Chief Whip and other ministers, immigration policy was put to one side.<sup>162</sup> In a Cabinet meeting the next day, it was noted that many Government supporters had voted with the opposition. Ministers pressed for urgent consultation with the Conservative MPs who disagreed with the government in order to reach a solution that could be stomachable by them as well as the supporters of the government.

### Electoral motivations

The new immigration rules and the British Nationality Act of 1981 may, at first sight, be seen as significant developments to immigration policy that would play well with the electorate. They were designed by a Conservative government keen to implement greater restrictions on immigrants during a time in which public concern about the level of immigration and the impact of migrants on established communities was running high. Tightening up controls on entry, redefining citizenship more exclusively and ensuring certain British nationals would not have automatic right of residence in the UK were likely to be popular proposals. In a speech at the Conservative Party conference of 1979, the immigration minister referred to the UK as a 'small, crowded island which cannot absorb unlimited numbers'.<sup>163</sup> Senior figures within the Party might well have considered the immigration issue to be a possible vote-winner, particularly if one considers a context in which the early 1980s Conservative Party had no certainty of winning the next election.<sup>164</sup>

Yet, in fact, these combined changes to policy were neither as substantial as they were portrayed, nor were they devised especially as a means to score votes on the back of the immigration issue. While senior figures within the Party might well have considered the immigration issue to be a possible vote-winner (and the Conservatives had been far behind Labour in the opinion polls in 1980 and 1981), there is little evidence that policy development

was pursued with this in mind.<sup>165</sup> Although the Conservative Party had commissioned one of its MPs to write a green paper on changes to nationality laws while in opposition in 1977 (see ‘Who Do We Think We Are?’), the legislation was not the brainchild of the Conservative Party.<sup>166</sup> Rather, the British Nationality Act was the culmination of many years’ work; previous governments had planned to revise and rationalise the nationality laws. One senior civil servant later recalled that the legislation was about ‘meeting a need’.<sup>167</sup> While the government’s new immigration rules were hyped as firm and fair, they, and the British Nationality Act of 1981, were ‘really only footnotes to a work that had, to all intents and purposes, already been completed’.<sup>168</sup>

In fact, far from intending to make immigration policies that would win support from xenophobic voters, the Conservatives of this time were more concerned with ethnic minority perceptions of the Party. Ministers noted that the parliamentary candidates of 1979 who had campaigned on an explicitly anti-immigration platform had been ‘generally rejected’ by the electorate.<sup>169</sup> Desk officers from within the Conservative Research Department (CRD) pored over a report, titled ‘Votes and Policies: Ethnic minorities and the General Election 1979’, which argued that:

[I]t seems likely that with an even distribution of the ‘ethnic vote’ between the two major parties, the Conservative Party would have won the General Election in 1979 with an even bigger majority than they did.<sup>170</sup>

While ethnic minority voters had little obvious impact on immigration policy (any moderation is hard to show), there were attempts to show the Party as less hostile on the topic. Given the study’s conclusion that ethnic minority communities were ‘likely to have an increasing influence in British politics in the future as participants rather than as subjects for debate and controversy’, CRD desk officers made efforts to identify which parts of Conservative policy were so off-putting to black and Asian communities.<sup>171</sup> High-profile figures (including Margaret Thatcher herself), who had been encouraged to give speeches to ethnic (mainly Anglo-Asian) community groups, sought to draw attention to the similarities between ‘Asian’ values and Conservative values.<sup>172</sup>

## 1983 to 1987

### Leadership

The leadership was less involved with immigration during this period and the Home Secretary and the immigration minister were able to deal with immigration matters with little interference from Thatcher. This was despite the fact that, as had been noted from early on during briefings with Foreign Office officials, Thatcher had ‘a particular interest’ in the topic of immigration, even if, as her colleagues later recalled she saw the need to manage immigration as ‘just something that had to be taken on the chin’ and even ‘a rather nasty job’.<sup>173</sup> Thatcher’s personal views on migration were widely regarded as indispensable to the Party’s line on immigration under her leadership. A colleague recalled that ‘Margaret didn’t like the whole immigration debate; she had to take part in it and she did [...] But on the whole, she wanted the issue to go away. And so she went some way towards, as it were, accepting the Enoch analysis [...] We would stiffen the rules but they would, basically, remain.’<sup>174</sup>

She – in contrast to many of her Cabinet colleagues (although not her Home Secretaries or immigration ministers) – was keen on restricting further the rights of immigrants to come to the UK. As Hansen puts it, she, like many people, had something of a cognitive dissonance on the issue: ‘Thatcher had only good to say about actual immigrants, and nothing good to say about immigration’.<sup>175</sup> And she was certainly not above using the UK’s fear of outsiders for electoral gain. Yet, beyond Thatcher, and within the broader Conservative Party, there continued to be discomfort about making too much of the immigration issue. Former immigration minister, David Waddington, found that ‘those above me didn’t really want to soil their hands with this business’, in part because the role required making ‘firm decisions which caused an immense amount of controversy [...] secretaries of state and prime ministers didn’t want anything to do with it’.<sup>176</sup>

## Electoral motivations

During the parliament of 1983 to 1987, the prospect of electoral unpopularity provoked hard-line legislation and the reversal of policy pursued less than 12 months earlier. The year 1985 was a very difficult year for the Tories, who lost control of shire counties in the local elections, suffered a poor result at a by-election in May and lost their lead in national opinion polls. As Blake points out, while polls, by-elections and local elections cannot be considered to be reliable indications of how voters may choose to cast their ballots in a general election, ‘any party in power is bound to feel uneasy when all three seem to be going in the wrong direction’.<sup>177</sup>

The Conservative Party’s poll ratings had been threatened by the deteriorating situation in Sri Lanka and the subsequent potential rush of non-white immigrants to the UK. In something of a U-turn, the Tory government decided that it *would* now return Tamils who had entered the UK to Sri Lanka. In September 1986, it was announced that citizens from five countries that had been historically linked with the Commonwealth (India, Pakistan, Bangladesh, Ghana and Nigeria) *would*, in future, have to acquire visas before entering the UK. The visa requirement was a result of departmental wrangling between the Home Office and the Foreign Office.

This effort to discourage individuals from these countries from entering the UK was clearly a hardening of the Party’s line on immigration, and one that would play well with the electorate, which was generally hostile to ‘coloured’ immigration. The new measures were much more than an administrative shuffling of responsibilities, or, in the words of the then immigration minister, David Waddington, about ‘taking the strain off the immigration system in this country and placing it on the shoulders of our posts abroad’.<sup>178</sup>

## 1987 to 1992

## Leadership

During this period, the Conservatives' immigration policy was dominated by its leader, Margaret Thatcher, whose pointed remarks about immigration were credited with bringing voters over to the Conservative Party. Towards the end of the 1980s, with immigration running at some 40,000 to 50,000 a year, she told the Commons 'I think that is as many as we can possibly cope with.'<sup>179</sup> During the same debate in which Thatcher made these remarks, Roy Hattersley, Labour's spokesperson for home affairs condemned government policy: it was based not on defensible principles of fairness, he said, but on keeping out non-white immigrants. Hattersley argued that such measures would have been disowned by ministers who believed in racial equality, but now, with Thatcher as Prime Minister, things were different: 'The big difference is not in the attitude of the Home Secretary, but in the attitude of the Prime Minister, who colours and dominates and determines all these matters.'<sup>180</sup>

Thatcher's domineering style of governing has been well documented. During this period, she would, apparently, begin meetings with the words: 'Well I don't know why we are meeting. It is quite clear this matter must be settled and in fact I thought it was. So shall we just check some of the details?''<sup>181</sup> Her colleagues knew, then, 'exactly what her views were'.<sup>182</sup> On immigration, as with other domestic issues, Thatcher did not encounter much opposition from her colleagues. There are next to no accounts of any disagreements on immigration between the leader and her Cabinet colleagues during this period.

By the end of the period, policy was becoming more muted under John Major's leadership, who favoured a more moderate approach. On being appointed Chancellor just a year earlier in October 1989, the press reported that he 'opposes capital punishment and has a soft spot for immigrants (though not in waves or huddled in Hong Kong)'.<sup>183</sup> While Major 'might not have been a Thatcherite zealot [...] he was located towards (if not actually on) the right of the Party'.<sup>184</sup> During his campaign for the leadership, he claimed that he was no 'son of Thatcher', yet many of his supporters backed him on the grounds that he might well turn out to be.<sup>185</sup> He was, at that point in time, formally preferred by the right-wing half of the

parliamentary party.<sup>186</sup> But Major, while enjoying the endorsement of Thatcher, was to some extent, expected to show a break with his predecessor. He certainly found the topic of immigration more distasteful than she did; his colleagues believe that his 'decency' would not allow exploitation of such an issue.<sup>187</sup>

## Factions

Thatcher's emphasis on immigration was matched by the emergence of a faction which was taking on a growing prominence: influential Conservatives with tough views on immigration. The hard-line faction were securing ministerial positions too. In June 1987, Tim Renton became the minister for immigration; he would oversee some of the 'most far-reaching changes to immigration law'.<sup>188</sup> He downplayed the implications of the new Immigration Bill before Parliament; it was, he said, a 'modest measure' which would merely 'repair loopholes'.<sup>189</sup> Renton replaced David Waddington, who took on the powerful role of Chief Whip, and who had become known for his 'hardline attitude to immigration casework'.<sup>190</sup> Those Conservatives who were viewed by the leadership as too 'soft' on the issue of immigration were moved elsewhere. Two years later, when Thatcher dismissed Douglas Hurd from his position as Home Secretary, the media speculated that the 'assumption' that Hurd was 'a tolerant and civilised fellow who represents the beleaguered cause of decency in a government not best known for such qualities' was enough to get rid of him.<sup>191</sup> Hurd (the 'small "l" liberal') was shuffled off to the Foreign Office to be replaced by David Waddington ('a tough and combative parliamentary operator').<sup>192</sup>

Thatcher is said to have greeted her appointment of Waddington with the words: 'At last a right-winger at the Home Office'.<sup>193</sup> Waddington's time at the Home Office as a junior minister from 1983 to 1987 (for immigration, no less) had proved him to be 'tough in implementing the Government's immigration policy' but not necessarily heartless; he maintained he did not approach his job feeling as though 'the more people he kicked out the better'.<sup>194</sup> Previously he had stood up to – and suffered jeers from – right-wing Conservative

rebels at Party conference who had demanded the repatriation of Commonwealth immigrants.<sup>195</sup> Immigrant support groups, however, alleged that he was ‘much too close to the hard-line enforcers in the Immigration Service and took their side against the more liberal civil servants in the Home Office’.<sup>196</sup> Some critics were even stronger: ‘In his previous period at the [Home Office], his decisions as minister responsible for immigration were miserable, repressive, illiberal and, in the case of Tamil refugees, almost certainly unlawful in terms of breaching the UN Convention on Human Rights’.<sup>197</sup>

### Electoral motivations

From 1987, electoral considerations were less of an issue for a Party which was on course to win its third consecutive election. True, the Tories may have seemed ‘confused and divided’, but the divisions were not related so much to the substance of policy as to how to present that policy.<sup>198</sup> While senior Conservative figures at the time discussed making more of the immigration issue in the run-up to the 1987 election, one leading politician argued that there was little need to do so: ‘there was quite a head of steam behind it [immigration], we didn’t want to encourage that [...] *because we believed we would win the election [without it]*’ (my italics).<sup>199</sup>

Despite the leadership’s attempts to depict Thatcher’s Cabinet as ‘in tune’ with the electorate on immigration, the gap between the decision-makers of the Conservative Party and the voting public was exposed during discussions over the Hong Kong issue in the late 1980s. The legal situation regarding the handover to China revealed a tension between ministers keen to fulfil their legal responsibilities towards people who were entitled to British passports (and those fleeing to Hong Kong from Vietnam) and a British public which was adamant that the Hong Kong British should not be allowed into the UK, let alone have the right of abode. One poll found that 65 per cent of the public rejected the right of three million Hong Kong British people to come to the UK. Backbenchers went so far as to ask the leadership whether the Party’s commitment to end large-scale immigration still existed.

## 1992 to 1997

### Leadership

John Major's leadership had something to do with the less visible presence of migration policy during this period. Aside from Major's distaste for the subject of immigration controls, he had other concerns; as with his predecessor, he could not risk the immigration issue further dividing the Party. The Conservatives, were, in the run-up to the 1997 election, 'riven by disunity' and in a 'state of disarray'.<sup>200</sup> According to Charles Wardle, an immigration minister under his leadership, Major would not allow the immigration issue to take centre stage; he 'had a personal hand in saying we don't push immigration'.<sup>201</sup> Despite Major's reluctance, the Conservatives' immigration policy became more restrictionist and more punitive during this period.

### Factions

During the 1990s, factions were of more importance than previously, or perhaps, since. The immigration minister Charles Wardle recalled how the 'right wing of the Conservative Party [were] demanding much harsher measures but actually not looking at the ground below the platform on which they are standing'.<sup>202</sup> Meanwhile, the 'libertarian wing' of the Party would not allow for the introduction of identity cards, which were, according to ministers and civil servants, essential to discourage illegal immigration.<sup>203</sup> Disputes between factions prevented at least one minister from making changes to immigration policy. Wardle's predecessor, Peter Lloyd, who in his own words, was 'slightly different from some of [his] colleagues' in part because some thought him 'too liberal', found the primary purpose rule to be 'unpleasantly intrusive'.<sup>204</sup> However, his concerns were not shared by many within the Conservative Party and he found that there was no possibility of his getting rid of the rule, nor (despite his position as immigration minister) was it in his power to push for it: it was 'the sort of thing that a cabinet committee decides'.<sup>205</sup>



Factions within the Conservative Party were intensified by the leadership contest of spring 1995. John Major had forced the contest, following damaging and distracting ‘plots’ to depose him. His success ‘deepened the wounds between party factions’.<sup>206</sup> Major, had, after all, won his leadership in 1990 on the backs of the right-wing faction of the party, and yet, five years later, he was re-elected by the Conservatives’ centrists and leftists. His victory ‘reinforced the feeling on the right that he had betrayed their original expectations’.<sup>207</sup>

### Electoral motivations

In the final stretch of this period – and despite Major’s dislike for the issue – the Conservative Party’s migration policy did undergo significant developments, particularly with respect to the asylum system and asylum seekers’ entitlements. However, these developments were not particularly visible, nor was much publicity given to them; the Party did not make an effort to extract votes on this issue. Some ministers thought there were more important issues; others thought that such a tactic would be self-defeating. One argued that such a move ‘didn’t gain you votes, it just made sure that the minorities were frightened of you’.<sup>208</sup> Others, including a former Home Secretary, did not think there were votes in the issue – ‘most of the public were quite relaxed about it [immigration]’ – and so ‘immigration was just something we kept quietly ticking over’.<sup>209</sup>

There were one-off incidents, however, of Conservatives politicians attempting to score points on this issue by positioning themselves as the defenders of Britain’s borders against an opposition that was wilfully obtuse and downright disloyal. To criticism from Labour MPs regarding the 1993 Asylum Act (particularly over the introduction of fingerprinting), Ken Clarke accused Labour of retreating to a ‘Mickey Mouse make-believe world in which everybody who applies for asylum in the UK is a traumatised victim who arrives trembling on our shores’.<sup>210</sup> Tony Marlowe MP summed up: ‘we [the Conservative Party] are concerned with the wishes and desires of the people of this country, whereas the Opposition are concerned about foreigners’.<sup>211</sup>

## 6.3 Conclusion

This chapter has explored the development of the Conservative Party's immigration policy from 1979 to 1997. During this period, the Conservative Party experimented with the use of immigration policy as an electoral tool. Making use of the issue could swing the votes of those opposed to, or uncomfortable with, immigration and immigrants. But as ministers noted, it could discourage the more liberally-minded and further consolidate the Party's relative unpopularity with ethnic minority voters. Policy-making during this period was mainly concerned with tying up loose ends, with much of the groundwork put in place by previous administrations. Levels of immigration to the UK during this time remained relatively steady, with little change to the flow of economic and family migration. However, towards the end of the period, the number of asylum applications shot up – a sign, according to some ministers that immigration policy was 'working', and that those who could no longer enter the UK legally were trying their luck with the asylum system. Despite the fact that levels of immigration were insubstantial (annual net migration during the 1980s was negative for half of the decade), the issue did not go undiscussed. The Conservative leadership maintained that being seen to be doing something about immigration was only right and proper: it would reassure the worried, and it would deter the frustrated from opting for far-right options.

This chapter has examined the proposition that the Conservative Party's immigration policy is more restrictionist in opposition than in government, and found this to be the case. The governing status of the Party does impact on policy-making. While there were significant developments in immigration policy during this 18 year period, what was implemented was much far less far-reaching than what had been proposed in the run-up to the 1979 election.

The Tories were unable to execute many of their immigration-related policies because of the restrictions imposed on a party in government. The register of dependants is an obvious casualty; it was both impractical, unenforceable and would have upset relations with the home countries of potential migrants. The Conservative government's interest in the decisions of other countries was such that policy was modified in advance of expected

criticism from overseas governments. A further significant obstacle was existing legislation at a national and international level: legal matters served to delay and influence policy, with measures pre-emptively weakened so as to reduce the possibility of lengthy challenges.<sup>212</sup> The economic imperative also served to loosen planned immigration control measures. The Tories were less dogmatic than they had been in opposition; they were prepared to yield to the need for a flexible labour market at the expense of immigration policy objectives. The Conservatives were also forced to contend with parliamentarians who were considerably obstructive with regard to government policy on immigration.

The Party's response to these constraints was to adjust its way of formulating policy. During this period, the Tories won four successive general elections, and, following their accumulating experience in government, they grew used to what was and what was not realistic. Policy was developed so as to side-line certain expected obstacles. Deliberate procedural delays, for example, were introduced as means of reducing the level of immigration. Overall, the measures were more pragmatic; there were fewer grand undertakings and more technically-detailed initiatives that could be pursued without legislation.

This chapter has also examined the usefulness of the three influencing factors with regard to party policy-making: the 'fear of electoral defeat', or, electoral calculations relating to recent or impending elections; the leader of the party's take on the immigration issue as well as their managerial style; and lastly, the factions that, to some extent, run the party.

The leadership was critical in setting the tone of migration policy – and ensuring it did not divide the Party. When the Tories were led by Thatcher, she had a profound influence on the framing, and sometimes the content, of immigration policy. There are some indications, however, that Thatcher was stymied by her colleagues in her attempts to go further on immigration controls. When, however, the disputes between different wings of the Party became more apparent in 1982, and it was feared that legislation would not pass, Thatcher took the decision to put immigration policy to one side. The priority, as she saw it, was the

unity of the Party. Under Major, the Party presented a more muted approach, even though policy was not significantly different, but merely responding to different events.

While factions could, and did, block the leader (Whitelaw did not allow immigration to be used in the 1983 campaign), they were less influential than the leadership, with the exception of a few sporadic incidents. The different wings of the Party, and the interactions between them, were perhaps more of a substantial influence on immigration policy in the middle and final parts of the era, during which a more ideological, right-wing faction gained prominence over the one-nation wing of the Tory Party. In the 1990s, the right-wing of the Party demanded tougher measures, but the libertarian wing would not allow it, deeming identity cards to be illiberal. Disputes between factions prevented at least one minister from making changes to immigration policy.

Electoral concerns were not much of a driver for immigration policy change – except and until immigration became a potential issue. Even though the Conservatives experienced fluctuating levels of support during their four terms in office, there is little evidence that fear of electoral defeat was a significant or consistent motivating factor behind changes to policy, other than a general need to show an operational and tough approach, which does not necessarily translate into stronger measures. There were occasional concerns about the Party's immigration policy repelling ethnic minority voters, who were deemed to be of growing importance. While there were attempts to show the Party as less hostile on the topic, this was mostly rhetoric. When the opinion polls showed lower levels of support for the Tories, or at least, Conservative ministers believed that this was imminent, the immigration issue was revived. It was vital for the Conservative government to show that it shared the same concerns as the electorate, which they believed to be opposed to 'coloured' immigration. So, when in 1985 the deteriorating situation in Sri Lanka and the potential rush of non-white immigrants to the UK threatened polls ratings, the Tories quickly drafted hard-line legislation and reversed policy that was less than a year old.

## Notes

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- <sup>1</sup> Waddington, D. *Memoirs: Dispatches from Margaret Thatcher's Last Home Secretary*. (London: Biteback, 2012). 121.
- <sup>2</sup> Interview with Brian Cubbon, 18 March 2015.
- <sup>3</sup> Messina, A. *Race and Party Competition in Britain*. (Oxford: Oxford University Press, 1989). 139.
- <sup>4</sup> Conservative Party, The. *The Conservative Party General Election Manifesto 1979*. 1979. [online] <http://bit.ly/1JvPOre> Accessed 4 June 2014.
- <sup>5</sup> Travis, A. 'Margaret Thatcher reluctant to give boat people refuge in Britain'. *The Guardian* [online] 30 Dec. 2009. Accessed 20 August 2012.
- <sup>6</sup> *Ibid.*
- <sup>7</sup> Winder, R. *Bloody Foreigners*. (London: Abacus, 2011). 402.
- <sup>8</sup> The National Archives of the UK (TNA): FCO50/664, 'Visit to Bangladesh by Mr Timothy Raison MP', 24-27 October 1979. 1979b.
- <sup>9</sup> TNA: FCO50/664, 'Record of Mr Raison's visit to the Indian sub-continent', from W R Fittall, Private Secretary, dated 15 November 1979. 1979d.
- <sup>10</sup> TNA: FCO50/664, 'Record of Mr Raison's visit to the Indian sub-continent', from W R Fittall, Private Secretary, dated 15 November 1979. 1979d. and also TNA: FCO50/664, 'Meeting with Mr Raison in the conference room on Sunday 21 Oct 1979'. 1979a.
- <sup>11</sup> TNA: FCO50/664, 'Mr Shepherd from D W Partridge', 30 October 1979. 1979e.
- <sup>12</sup> *Ibid.*
- <sup>13</sup> Thatcher MSS: Letter from Tony Marlow MP to PM, 16 June 1980. 1980a.
- <sup>14</sup> Thatcher MSS: Ian Gow MP's record of meeting between PM and backbenchers on immigration, 8 July 1980. 1980b.
- <sup>15</sup> Conservative Party Archive (CPA): CRD 15/01/1981. Minutes from Executive Committee meeting of the National Union, 15 Jan 1981.
- <sup>16</sup> Hansen, R. *Citizenship and immigration in postwar Britain*. (Oxford: Oxford University Press, 2000). 222.
- <sup>17</sup> *Ibid.* 231.
- <sup>18</sup> Spencer, I. *British immigration policy since 1939*. (London: Routledge, 1997). 147-148.
- <sup>19</sup> *Ibid.* 148.

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<sup>20</sup> Ibid. 148. and Hansen, 2000, op. cit. 213.

<sup>21</sup> Spencer, 1997, op. cit. 148.

<sup>22</sup> Ibid, p.148.

<sup>23</sup> Major, J. *The Autobiography*. (London: HarperCollins, 1999). 300, 80.

<sup>24</sup> While reiterating the Party's line that 'effective' immigration control was necessary for good community relations, the manifesto praised its achievements in the previous parliament: 'Since 1979, immigration for settlement has dropped sharply to the lowest level since control of immigration from the Commonwealth began more than twenty years ago.' There was reference too made to the British Nationality Act of 1981, which had 'created a secure system of rights and a sound basis for control in the future'. See Conservative Party, *The Conservative Party General Election Manifesto 1983*. 1983. [online] <http://bit.ly/1RsRUqJ> Accessed 4 June 2014.

<sup>25</sup> Interview with Peter Lloyd, 20 June 2014.

<sup>26</sup> See British Nationality (Falkland Islands) Act 1983, c.6. Available at <http://bit.ly/1U9j7jG> Accessed 25 May 2016.

<sup>27</sup> Interview with Brian Cubbon, 18 March 2015.

<sup>28</sup> Paul, K. *Whitewashing Britain: Race and Citizenship in the Postwar Era*. (New York: Cornell University Press, 1997). 186.

<sup>29</sup> Hong Kong Act 1985, c.15. Available at <http://bit.ly/1WmAfJm> Accessed 12 October 2013.

<sup>30</sup> Cook, S. 'Tamils fleeing terror may be sent back/ Refugees fleeing violence in Sri Lanka'. *The Guardian* [online] 18 May 1985 Accessed 20 October 2012.

<sup>31</sup> Ibid.

<sup>32</sup> Rose, D. 'Britain attacked for hard line on Tamils/ Sri Lankan refugees'. *The Guardian* [online] 29 May 1985 Accessed 20 October 2012.

<sup>33</sup> Ibid.

<sup>34</sup> HC Deb 3 June 1985, vol 80 cols 52-9, 'Sri Lankan Tamils'.

<sup>35</sup> Keel, P. 'Britain insists on entry visas from Tamils/Sri Lanka's refugee problem.' *The Guardian* [online] 30 May 1985 Accessed 20 October 2012.

<sup>36</sup> Milne, S and Travis, A. 'Tamil "blunder" inquiry ordered after deportation'. *The Guardian* [online] 7 June 1985 Accessed 20 October 2012.

<sup>37</sup> Helm, S. 'Visa move for Bangladeshis'. *The Sunday Times* [online] 27 October 1965 Accessed 12 May 2013.

<sup>38</sup> Ibid.

<sup>39</sup> Interview with David Waddington, 21 May 2014.

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- <sup>40</sup> Apparently, MPs submitted to ministers a ‘large amount of correspondence’ which took an ‘inordinate amount of time’ for staff to deal with. Interview with David Waddington, 21 May 2014.
- <sup>41</sup> TNA: FCO50/664, ‘Visit of Timothy Raison, Home Office Minister to the Indian Subcontinent, October 1979’, 30 Oct 1979. 1979c.
- <sup>42</sup> David Waddington, cited in Travis, A. ‘MPs “abuse system to let in immigrants”’. The Guardian [online] 25 Oct 1985. Accessed 20 October 2012.
- <sup>43</sup> HC Deb 26 March 1986, vol 94 cols 952-1042, ‘Immigration (Members’ Representations)’.
- <sup>44</sup> Rose, D. ‘Labour MPs to defy Hurd’. The Guardian [online] 14 March 1986 Accessed 12 March 2013.
- <sup>45</sup> ‘Parliament: Too much scribbling in reply to MPs/ Immigration’. The Times [online] 21 March 1986. Accessed 20 October 2012.
- <sup>46</sup> Oakley, R. ‘Hurd to curb action of MPs on immigrants’. The Times [online] 16 October 1986 and Oakley, R. ‘Labour fight bar on MPs’ role over immigration’. The Times [online] 17 October 1986 Both accessed 22 October 2012.
- <sup>47</sup> Major, 1999, op. cit. 96.
- <sup>48</sup> Conservative Party, The. The Conservative Party General Election Manifesto 1987. [online] <http://bit.ly/1ZyooGM> Accessed 4 June 2014.
- <sup>49</sup> Ibid.
- <sup>50</sup> Evans, R. ‘Hurd acts on “bogus” refugees’. The Times [online] 21 February 1987 Accessed 12 March 2014.
- <sup>51</sup> ‘Parliament: Airlines will face 1,000 pound fines over fake refugees’. The Times [online] 4 March 1987 Accessed 12 March 2014.
- <sup>52</sup> ‘Parliament: Tamils not only reason for bringing in penalties bill, Hurd tells Commons – Refugees’. The Times [online] 17 March 1987 Accessed 22 October 2012.
- <sup>53</sup> Spencer, 1997, op. cit. 148.
- <sup>54</sup> Ashford, N. ‘11,000 pinning their hopes on British honour’. The Times [online] 31 March 1986 Accessed 22 October 2012.
- <sup>55</sup> Interview with Douglas Hurd, 29 October 2014.
- <sup>56</sup> Bevins, A. ‘Tory MP warns of backlash on Hong Kong’. The Independent [online] 16 December 1989 Accessed 12 May 2013.
- <sup>57</sup> Ashford, N. ‘11,000 pinning their hopes on British honour’. The Times [online] 31 March 1986 Accessed 22 October 2012.
- <sup>58</sup> White, M. ‘Britain will not give sanctuary’. The Guardian [online] 7 June 1989 Accessed 22 October 2012.
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- <sup>63</sup> Ibid.
- <sup>64</sup> Ibid.
- <sup>65</sup> Cited in Jones, M. 'Britain's shame: Gambling with Hong Kong's six million lives'. The Sunday Times [online] 9 July 1989 Accessed 14 May 2013.
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- <sup>68</sup> Carvel, J. 'Tory rebellion heightens Hong Kong exodus fears'. The Guardian [online] 16 December 1989 Accessed 12 May 2013.
- <sup>69</sup> Ibid.
- <sup>70</sup> Bevins, A. 'Tory MP warns of backlash on Hong Kong'. The Independent [online] 16 December 1989 Accessed 12 May 2013.
- <sup>71</sup> Ibid.
- <sup>72</sup> Ibid.
- <sup>73</sup> Oakley, R. 'Passports scheme is a delicate balancing act'. The Times [online] 21 Dec. 1989. Accessed 4 August 2015.
- <sup>74</sup> Interview with Douglas Hurd, 29 October 2014.
- <sup>75</sup> Winder, 2011, op. cit. 426.
- <sup>76</sup> Oakley, R. 'Passports scheme is a delicate balancing act'. The Times [online] 21 Dec. 1989. Accessed 4 August 2015.
- <sup>77</sup> Ibid and see also White, M. 'Tebbit stirs row "in bid to be leader"'. The Guardian [online] 22 Dec. 1989. Accessed 4 August 2015.
- <sup>78</sup> Brown, C. 'Hong Kong "folly" is attacked by Tebbit. The Independent [online] 22 Dec. 1989. Accessed 4 August 2015.
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<sup>80</sup> Ibid.

<sup>81</sup> Ford, R and Smith, I and Evans, P. 'Hurd defends raid on church to seize illegal immigrants'. The Times [online] 19 Jan 1989 Accessed 12 May 2013.

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<sup>83</sup> Ibid.

<sup>84</sup> Pimlott, B. 'Britain leads in politics of closed door'. The Sunday Times [online] 22 Jan 1989 Accessed 13 March 2014.

<sup>85</sup> Baker, K. *The Turbulent Years*. (London: Faber and Faber, 1993). 444.

<sup>86</sup> Interview with Kenneth Baker, 22 December 2014. and Baker, 1993, op. cit. 444.

<sup>87</sup> Interview with Kenneth Baker, 22 December 2014.

<sup>88</sup> Ibid.

<sup>89</sup> Ibid.

<sup>90</sup> Ibid. and Baker, 1993, op. cit. 445.

<sup>91</sup> Baker, 1993, op. cit. 445.

<sup>92</sup> Interview with Peter Lloyd, 20 June 2014.

<sup>93</sup> See Utting, D. 'Don't make race issue, Tories told'. The Independent [online] 28 March 1992 Accessed 5 September 2013. and also Bunting, M. 'Parties sum up in final plea to the voters: Tories'. The Times [online]. 9 April 1992. Accessed 5 September 2013. And also Oakley, R. 'Baker claims PR has aided fascists'. The Times [online]. 7 April 1992 Accessed 5 September 2013. and also Bale, T. *The Conservative Party From Thatcher to Cameron*. (Cambridge: Polity Press, 2010). 40.

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<sup>95</sup> Ibid.

<sup>96</sup> Interview with Peter Lloyd, 20 June 2014.

<sup>97</sup> Winder, 2011, op. cit. 410.

<sup>98</sup> Ibid. 421.

<sup>99</sup> McSmith, A. *Kenneth Clarke: A Political Biography*. (London: Verso, 1994). 206.

<sup>100</sup> Interviews with Kenneth Baker, 22 December 2014 and Ken Clarke, 20 January 2015.

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<sup>101</sup> Interview with Ann Widdecombe, 20 February 2015.

<sup>102</sup> Hansen, 2000, op. cit. 234.

<sup>103</sup> McSmith, 1994, op. cit. 206-7.

<sup>104</sup> See Asylum and Immigration Act, 1996, c.49. Available at <http://bit.ly/28qe9JZ> Accessed 12 October 2013.

<sup>105</sup> Ibid.

<sup>106</sup> Interview with Douglas Hurd, 29 October 2014.

<sup>107</sup> Ibid.

<sup>108</sup> Interview with Peter Lloyd, 20 June 2014.

<sup>109</sup> Ibid.

<sup>110</sup> Thatcher MSS: Memorandum by the Home Secretary and the Foreign Secretary to Cabinet, 5 Nov 1980.

<sup>111</sup> TNA: FCO 50/665, 'Immigration Rules: Draft White Paper', 10 Sept. 1979, from an unnamed 'Cabinet colleague' to the Prime Minister.

<sup>112</sup> TNA: FCO 50/669, 'Revised Immigration Rules', undated, likely December 1979, from A Shepherd to Mr Murray.

<sup>113</sup> Thatcher MSS: 'Whitelaw note circulated to Cabinet – C(79) 45 'White Paper on the Immigration Rules', 16 October 1979.

<sup>114</sup> Ibid.

<sup>115</sup> Ibid.

<sup>116</sup> Interview with Brian Cubbon, 18 March 2015.

<sup>117</sup> TNA: FCO 50/665, Draft letter to John Chilcot, Private Secretary to Home Secretary from Foreign Office officials, undated, likely July 1979.

<sup>118</sup> TNA: FCO 50/665, To Archie Shepherd, MVD, FCO from Arthur Brown of British High Commission, New Delhi on 'Changes in the Immigration Rules', 18 Sept 1979.

<sup>119</sup> TNA: FCO 50/664, From M J Addison to Mr Halliday on 'Harassment of Visitors and treatment of descendants' queues, 29 Oct 1979.

<sup>120</sup> TNA: FCO 50/664, From C A K Cullimore to H J S Pearce on 'Visit to the UK of Mr Barua', 17 Oct 1979.

<sup>121</sup> Thatcher MSS: Minute from Carrington to Whitelaw on 'UKPH in India' 26 March 1981.

<sup>122</sup> TNA: CAB 128/71/12, 'Conclusions of a Meeting of the Cabinet', 24 Sept 1981.

<sup>123</sup> Thatcher MSS: Press Office lobby briefing, 12 July 1979.

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- <sup>124</sup> TNA: FCO50/659, 'Immigration Changes: Views of the High Commissioner in Delhi', letter from G G H Wealden to A J Butler regarding 'Nationality Bill', 23 July 1979.
- <sup>125</sup> Ibid.
- <sup>126</sup> Dean, M. 'Breaching of article 13'. The Guardian [online] 29 May 1985 Accessed 20 October 2013.
- <sup>127</sup> Ibid.
- <sup>128</sup> CPA: CRD 25/6/82, Memo on the 'Government's flexible response to criticism: changes to the White Paper', 25 June 1982.
- <sup>129</sup> CPA: CRD 3/9/38, (undated), Draft reply for Alan Howarth (personal assistant to Chairman of CP/Director Research at CRD) to a 'Mr Holden' of Wigan, undated, likely 1979 or 1980.
- <sup>130</sup> Interview with Douglas Hurd, 29 October 2014.
- <sup>131</sup> Rose, D. 'Queues used to stem immigration; Home Office document reveals deliberate procedural delays'. The Guardian [online] 21 March 1985. Accessed 12 October 2013.
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- <sup>133</sup> Phillips, M. 'Why the Tamils are the last straw'. The Guardian [online]. 4 September 1987 Accessed 12 August 2014.
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- <sup>139</sup> Major, 1999, op. cit. 300.
- <sup>140</sup> Ramsden, J. *An Appetite for Power*. (London: HarperCollins, 1998), 474, 476.
- <sup>141</sup> Major, 1999, op. cit. 311.
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- <sup>146</sup> Blake, R. *The Conservative Party from Peel to Major*. (London: Faber and Faber, 2011). 402.
- <sup>147</sup> Major, 1999, op. cit. 689.
- <sup>148</sup> Blake, 2011, op. cit. 402.
- <sup>149</sup> Clark, 1999, op. cit. 506.
- <sup>150</sup> Blake, 2011, op. cit. 402.
- <sup>151</sup> Thatcher MSS: 'Conclusions of a Meeting of the Cabinet', 28 Oct 1982.
- <sup>152</sup> Ibid.
- <sup>153</sup> Hansen, 2000, op. cit. 211, 210.
- <sup>154</sup> Conservative Party, The. *The Conservative Party General Election Manifesto 1983*. 1983. [online] <http://bit.ly/1RsRUqJ> Accessed 4 June 2014.
- <sup>155</sup> Ibid. 210.
- <sup>156</sup> Blake, 2011, op. cit. 338.
- <sup>157</sup> Ibid. 338. and Ramsden, 1998, op. cit. 436.
- <sup>158</sup> Charmley, J. *A History of Conservative Politics since 1830*. (Basingstoke: Palgrave Macmillan, 2008). 210, 215.
- <sup>159</sup> Thatcher MSS: 'Conclusions of a Meeting of the Cabinet', 28 Oct 1982.
- <sup>160</sup> Ibid.
- <sup>161</sup> Ibid.
- <sup>162</sup> Thatcher MSS: 'Conclusions of a Meeting of the Cabinet', 28 Oct 1982.
- <sup>163</sup> CPA: NUA 2/1/83, Speech by Timothy Raison at Conservative Party Conference, 9-12 Oct 1979.
- <sup>164</sup> In 1982, Peter Walker gave his thoughts to Margaret Thatcher on 16 February 1982, at a time when, he perceived, the Party 'face[d] grimmer prospects' than it had since World War Two. See Thatcher MSS: 'Walker minute to MT ("Memorandum on a Conservative Strategy for the Next Two Years", 16 Feb 1982.
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- <sup>169</sup> CPA: CRD 4/9/38, A report by the Commission for Racial Equality by Muhammad Anwar, 'Ethnic minorities and the General Election 1979', Feb 1980.
- <sup>170</sup> Ibid.
- <sup>171</sup> Ibid.
- <sup>172</sup> See CPA: CRD 25/6/82, Thatcher's speech to the Anglo-Asian Society, 14 July 1978. As she put it, 'These [Asian values] are all things Conservatives believe in.'
- <sup>173</sup> Interview with David Waddington, 21 May 2014.
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- <sup>179</sup> Goodwin, S. 'Parliament and Politics: Thatcher accused of inflaming rail row'. The Independent [online] 5 July 1989 Accessed 12 March 2014.
- <sup>180</sup> HC Deb 5 July 1989, vol 156 cols 368, 'Immigration and DNA testing'.
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- <sup>185</sup> Charmley, 2008, op. cit. 241.
- <sup>186</sup> Ramsden, 1998, op. cit. 470.
- <sup>187</sup> Interview with Peter Lloyd, 20 June 2014.

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- <sup>189</sup> Renton, D. 'Firm but fair controls – the immigration Bill, the case for the change.' The Guardian [online] 13 Nov 1987 Accessed 12 October 2013.
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- <sup>198</sup> Blake, 2011, op. cit. 372.
- <sup>199</sup> Interview with Douglas Hurd, 29 October 2014.
- <sup>200</sup> Ramsden, 1998, op. cit. 490.
- <sup>201</sup> Interview with Charles Wardle, 24 March 2015 and interview with Ken Clarke, 20 January 2015.
- <sup>202</sup> Interview with Charles Wardle, 24 March 2015.
- <sup>203</sup> Ibid.
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- <sup>207</sup> Ibid. 475.
- <sup>208</sup> Interview with Peter Lloyd, 20 June 2014.

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<sup>209</sup> Interview with Ken Clarke, 20 January 2015.

<sup>210</sup> HC Deb 11 January 1993, vol 216, cols 677-95, 'Fingerprinting'.

<sup>211</sup> HC Deb 11 January 1993, vol 216, cols 637-45, 'Protection of claimants from deportation, etc'.

<sup>212</sup> In his 1998 text, Joppke questions whether the acceptance by Western states of 'unwanted' immigration points towards a decline of sovereignty. That they do accept such immigration is, he believes, in contradiction to a fundamental component of the modern state: that is, the autonomy to admit or expel people. Joppke suggests that relatively open immigration policy is down to 'self-limited sovereignty'. This, he argues, is partly down to legal constraints and moral obligations. 267, 292. See Joppke, C. 'Why Liberal States Accept Unwanted Immigration.' *World Politics*. 1998. 50(1). 266-293.

## 1997 to 2015

[F]rom time to time, odd, silly policies have been made.<sup>1</sup>

– Ken Clarke

This chapter will examine the development of the Conservative Party's immigration policy from 1997 to 2015 – over five general elections, countless by-elections and under four different leaders – including one long period (over three electoral terms) in opposition and one period in government (albeit in coalition). This section considers the both the influences and the restraints on policy over a period of 18 years, during which there was considerable expansion of the European Union (from 15 to 28 member states) and growing public concern about the impact and implications of immigration. Coupled with that were the frequent bouts of international instability, which created new refugees in Syria, specifically, and the Middle East, more generally. By 2015, the Conservative Party had developed an immigration policy that was more restrictive and more comprehensive than anything before.

Over the last two decades, immigration policy-making has been hyperactive – and never far from the minds of Tory politicians. Extensive development of policy reflects the huge expansion in the level of migration to the UK – particularly in the mid-2000s, when net migration climbed to a then unprecedented 267,000 a year in 2005 – and a global tendency towards more intensive migration management as well as a steep increase in concerns among the general public.<sup>2</sup> The Conservatives considered, and, in some cases, implemented, a broad range of initiatives including, but not limited to: taking in a fixed number of asylum seekers; setting up off-shore detention centres; establishing a dedicated 'removals agency';



introducing a ‘border police force’ with powers of arrest; new rights for gay and lesbian asylum seekers; accelerated settlement for entrepreneurs and investors; an annual cap on the entry of economic migrants; a financial ‘bounty’ scheme; and the removal of benefits from certain EU migrants. The Conservatives’ intensive level of immigration policy-making was much more than a response to changing circumstances. Their predecessors were reluctant to use immigration for electoral gain, deeming it to be unseemly and potentially dangerous for community relations. The Tories of the last 20 years or so have a different view. More than ever before, immigration policy was driven by the Conservative Party’s need to win support at the ballot box, by securing the backing of former voters, including those who had transferred their support to the United Kingdom Independence Party (UKIP).<sup>3</sup>

The Tories’ changes have made immigration policy more complex than ever before. It has become almost common wisdom nowadays – and not just in the UK – to divide immigrants into those considered beneficial to the country (generally the highly-skilled and highly-educated) and those who are not (typically the low-skilled and low-paid) – ‘the brightest and the best’, as distinct from ‘the rest’. With many more dividing lines, it is worth considering changes to immigration policy by type, or sector.

From 1997 to 2015, the Conservatives found that economic migrants posed something of a problem for them: businesses argued for fewer controls on their ability to bring in workers, yet given that economic migrants made up the bulk of the net migration figures (which include EU migrants), it was sensible to reduce the level – or impose swingeing cuts elsewhere. Furthermore, the UK government could not interfere with the free movement of EU workers, who made up around half of the total number of immigrants entering the country each year. Economic migrants bore the brunt of stricter regulations; their rights to settlement and citizenship were restricted. On the other hand, some economic migrants were encouraged to enter the UK with special promotional campaigns and offered new incentive schemes, including an online 24-hour visa scheme for favoured visitors.

International students proved to be a soft target for the Conservatives; it was much easier to reduce the numbers in this category.<sup>4</sup> They were regarded as bogus economic migrants and

potential security risks; to secure visas, they needed to have higher educational qualifications than previously and endure more intensive bureaucratic procedures. Furthermore, graduates of UK universities no longer had the Tier 1 (Post-study work) route open to them; instead they needed a skilled job offer from a sponsoring employer to remain in the country. The number of student visas issued declined from 314,305 in 2009 to 218,773 in 2013 – a drop of 36 per cent.<sup>5</sup> It is difficult to conclude that the restrictions on international students were intended to reduce abuse of the system, when students had little effect on long-term net migration, and yet their impact on the UK economy was a significant net gain.

The asylum issue has been regularly picked up and then discarded by the Tories. Under William Hague and Iain Duncan Smith, there was a series of column-worthy initiatives which were intended to discourage unfounded asylum claims. Few of these lasted more than a year or two. Under David Cameron's leadership, policy for asylum seekers remained largely unchanged, and although there was a new emphasis on locating and deporting failed asylum seekers and expediting the legal process, the backlog of cases remained. Labour-introduced targets for processing asylum applications within a set period of time were replaced by a series of 'performance indicators' which monitor outcomes.

Family reunification achieved greater prominence in the Conservatives' policy, which underwent significant change in that direction. Greater financial requirements were introduced for those who wished to bring a non-EU relative to the UK, a move which decreased the number of British citizens and residents who could act as sponsors; more rigorous English language tests and checks on marriages were also introduced. Appeal rights for those refused family visas to visit relatives in the UK were curtailed. Even those who did meet the requirements could only bring their partner into the UK after a 'probationary period' of several years. In 2012, changes to family migration policy were, according to government documents, primarily about 'stop[ping] family criminals hiding behind human rights law to dodge deportation' and 'ensur[ing] only migrants who can pay their way are allowed' to enter the UK.<sup>6</sup>

## 7.1 The development of Conservative immigration policy

### 1997 to 2001

The 1997 general election was the Conservatives' worst electoral result in history. The Party lost more seats (178) than it managed to hold onto (165). Immigration had played next to no role in the Conservative electoral campaign. According to a former immigration minister from this period, this was no oversight: 'We had made a clear decision that we did not want to use immigration as a main argument [...] It is an area where obviously you can gain votes, but I think the view was that we should not do that. This was a John Major government and John Major himself felt that would be inappropriate.'<sup>7</sup> Similarly, the 1997 manifesto contained minimal reference to immigration. Underneath the heading 'Britain – A Tolerant Country', there was a reiteration of the long-standing Conservative line that immigration controls are vital for decent community relations. There was, too, a firm commitment to ensure that certain 'people' could not, in an attempt to get past 'normal immigration controls', make use of provisions in place for 'genuine' asylum seekers.<sup>8</sup>

There was to be little departure from these manifesto commitments during this parliament, despite a change in leadership following John Major's resignation. William Hague became leader of the Party on 19 June 1997, just six weeks after the disastrous general election. His leadership campaign had not concentrated so much on policy as on the (in his view) much needed modernisation of the Party's structures. He condemned the 'constantly shifting fudge' of recent years.<sup>9</sup> Hague was chosen in part because he had the least number of enemies in comparison with his competitors. There was limited enthusiasm for him; the Party's 'institutional rules ensured that inoffensiveness and novelty triumphed, producing a winner whose support was broad but not deep'.<sup>10</sup> In what could be seen as something of a delayed post-mortem, Hague commissioned polling firm ICM to report on the standing of the Party a year after the 1997 defeat. The results revealed that the Tories were just as unpopular with the electorate at the time of the election. Around 63 per cent of respondents perceived the

Conservatives to be to their right, ideologically. Only around 20 per cent believed they stood on the same ground as the Conservative Party.

The results were shocking to Party insiders, but perhaps more so was the response of the leadership. Instead of making efforts to move the Party towards the centre ground – where the bulk of voters is believed to lie – the Conservatives took steps to bring what they believed to be the ‘quiet majority’ further to the right. Hague switched to ‘more abrasive and demotic Toryism’: a populist kind of politics in which right-wing rhetoric was matched by right-wing policies.<sup>11</sup> The target voters were those who had ‘apparently [been] abandoned and betrayed by a government presiding over stealth taxes, rising crime, and immigration, obsessed with minority rights and in thrall to the European Union’.<sup>12</sup> Hague wooed them with comforting language: he described the imagined voters as decent people with sensible concerns. They were ‘Middle England’ and the ‘Mainstream Majority’. While immigration was not explicitly mentioned, the Conservatives seized on the topic of Europe, which acted as something of a proxy for dealing with concerns about immigration. In one speech, Hague used the term ‘foreign land’ to refer to a dystopian UK of the future. While Hague insisted that this was a reference to the overreach of the EU on UK issues, journalists were briefed that this comment was about the impact of immigration.<sup>13</sup>

Unfortunately for the Conservatives, their careful efforts were not picked up by the press or the public. Labour’s extremely comfortable win of 1997 – and generally high public satisfaction ratings in the early years of its return to government – meant that there was little room for the Conservatives to speak out and regain support. The problem, according to then Party Chairman, was that ‘the electorate were comfortable and simply didn’t want to listen’.<sup>14</sup> In response, the Tory leadership desperately fumbled for some issue to bring the electorate back on side. The Party Chairman explained that he and his colleagues were ‘trying to find anything that was going to shift what was a very rigid political situation [...] there was an inertia [...] so anything that was going to make them sit up a bit’.<sup>15</sup>

The Conservatives’ search for an issue that would bring voters back onside led to a reappraisal of asylum policy. Focus groups that had been commissioned by the Party had

repeatedly raised asylum policy as a concern. Tories with close ties to the leadership believed that there were strong grounds to recommend that the Party should become associated with (solving) the asylum issue. A revised – and bold – asylum policy seemed to tick all the right boxes, according to the Shadow Home Secretary, Ann Widdecombe.<sup>16</sup> First, the asylum system was ‘completely out of control’ and ‘we all knew [it]’.<sup>17</sup> Second, the Tories ‘need[ed] to have a policy’ that would deal with the management of asylum seekers.<sup>18</sup> Third, there was an understanding within the Party that ‘such a policy would be popular with the public’.<sup>19</sup>

The Shadow Cabinet concurred; the Conservative Party put a renewed emphasis on asylum seekers and the process for claiming asylum. Asylum was one of the Party’s five ‘common sense’ issues on which it chose to campaign in the run-up to the 2001 general election. Under the heading ‘A safe haven, not a soft touch, on asylum’, the Tory manifesto referred to the ‘virtual collapse of the asylum system’.<sup>20</sup> There was talk of ‘chaos’, of ‘crisis’ and of the ‘blighting [of] many lives’.<sup>21</sup> Beyond the rhetoric, there were fresh policy proposals too. New asylum applicants would be detained in secure centres while their applications were being processed. The application process itself would be expedited, and a brand new Removals Agency would have powers to remove those whose claims had been rejected.<sup>22</sup> The proposals were billed as ‘restor[ing] common sense to Britain’s asylum procedures’.

The decision to give the asylum issue a new prominence was a risky move for the Conservative Party. In the dying days of this parliament, the Tories were some 20 percentage points behind Labour. They had tried to seize on a topic that was causing worry for some members of the electorate. As one senior member of the Shadow Cabinet put it, ‘[w]hat you are giving priority to at any given moment is driven hugely by public concern, and the nearer you get to an election, the more that is so.’<sup>23</sup> Some of her colleagues were less than convinced that the focus on asylum was a measured and sincere response to voters’ fears. Ken Clarke viewed the move as a desperate, last-ditch attempt to make the Party look as if it were in touch with the electorate. He recalled that ‘[w]hen it became obvious we weren’t going to win the election [2001], they kind of panicked, and decided that we’d better start “blowing the dog-whistles” and getting the core vote back’.<sup>24</sup>

## 2001 to 2005

It was not until the 2001 general election defeat – the second in a row for the Conservatives – that the Party realised that something was seriously wrong. The Conservatives had gained just a one percentage point increase in the vote share and one extra parliamentary seat on their previous result. No longer could the Tories dismiss the 1997 result as a fluke. Nor could they wait for voters to return to the fold. In a bid to secure their core vote, the Party had campaigned on familiar and traditional right-wing territory – asylum and immigration were joined by Europe and taxation – and they had failed. The day after the election, William Hague resigned as leader of the Party. The swift departure of Hague prevented the Party from carrying out an inquiry into why it had done so poorly – was it policy or presentation or something else? The subsequent leadership contest proved to be a distraction; it obscured what should, perhaps, have been the main issue – that is, the need for some critical thinking regarding the Party's very recent electoral failure. Instead, Conservative parliamentarians and their supporters put all their time and effort into the leadership contest. Although competing wings of the Party used the election defeat to justify their own positions and shore up support for their preferred leadership candidate, there was little serious consideration of why it had gone so badly wrong for the Conservatives.<sup>25</sup>

The election of Iain Duncan Smith in September 2001 signalled a break with the past. Early in his leadership, Duncan Smith took the opportunity to put the Party's policies under review. No policy was untouchable, not even the 2001 manifesto pledges, such as the commitment that all new asylum seekers would be locked up in secure detention centres until their claims had been processed, which, just a few months earlier, the Party had been keenly promoting. The 'pause' on policy not only allowed the Conservatives time to reflect on, and revise their policies; it was also intended to give the public some time to get used to the idea of a less extreme Tory Party. And finally, suspending current policy would, according to advisors, solve a separate problem: 'if we came up with a good idea [...] [it would be] contaminated or stolen' by the government.<sup>26</sup>

While the Conservatives' policies were put to one side for reworking, Iain Duncan Smith turned his attention to the Party's image. He made efforts to depict a Conservative Party that was moderate, modern and tolerant. Gestures were made to undo the Party's reputation for being prejudiced and bitter. Just a few weeks after he had been appointed leader, Duncan Smith distanced himself from the right-wing Monday Club by ordering it to suspend its (decades-long) links with the Conservative Party, until it had proved itself to be a less xenophobic organisation.<sup>27</sup> Tory Chairman David Davis (a politician not usually associated with the moderate wing of the Party) said that the action was taken because 'one of the things that is unacceptable to us is an association with racism or perceived racism'.<sup>28</sup>

Iain Duncan Smith did not last long enough to see the results of the policy review process; just two years later, the Party had grown tired of his style of leadership and he was replaced by Michael Howard, who was seen as a firm right-winger within the Conservative Party. As with his predecessors, Hague and Duncan Smith, Howard initially trod a much softer line on the issue of immigration. However, the leadership deemed it unwise to hold back for too long. Howard's situation was less than ideal: with just 18 months as party leader before the general election of 2005, he had little leeway and his ability to set the agenda was limited.<sup>29</sup> Senior advisors thought it sensible to stick to the old favourites, so the immigration issue was revived. Howard had no issue with this – he believed that it was the right thing to do, given that immigration was a serious public concern that was, in his view, being ignored, or mismanaged, by the government. It was encouraging to him, too, that there seemed to be votes in the issue.

The initiatives proposed by the Tories under Michael Howard's leadership were unconventional. Many of the proposals, if implemented, would have been contrary to existing international law. The Conservatives proposed a fixed quota for the number of asylum seekers that the UK would take in, which received the response from one pressure group that '[q]uotas are for cod fishing, not humanitarian protection'.<sup>30</sup> Given that such a proposal would have been both illegal and impractical, it is difficult to see this as anything other than rhetoric. Later, the Tories called for the UK to stop considering asylum applications made within the country, and instead to take in only asylum seekers from UN refugee camps. Those

making applications for asylum in the UK would be detained in ‘centres’ close to their country of origin where their claims would be processed.

Towards the end of this parliament, few within the Party were anything but confident in the decision to give emphasis to the asylum issue. Senior Tories maintained that it was a topic in need of timely intervention as well being an issue of concern to voters. Opinion polls commissioned by the Party seemed to show that a strong stance on asylum policy was popular with the electorate. The Tories had even been encouraged to pursue their restrictionist agenda by widespread focus group awareness of, and support for, the “‘Australian system” of immigration decisions’.<sup>31</sup> It was no surprise then that the Conservatives chose to make immigration and asylum one of their top five priorities in the 2005 electoral campaign. Tory billboards across the country proclaimed – in mock-handwritten text – that ‘It’s not racist to impose limits on immigration’. This phrase had either been plucked verbatim from a focus group session with voters or inspired by the comments of a future Conservative MP.<sup>32</sup>

## 2005 to 2010

At the 2005 general election, the Conservatives were defeated for the third successive time . The Party gained some 33 seats, but the vote share (at 32.4 per cent) had hardly improved on the previous election. In the majority of the seats gained, the Tories’ percentage actually decreased.<sup>33</sup> Although senior Tory figures have since claimed that the media took the issue and took off with it – the 2005 general election campaign saw a renewed emphasis on controlling immigration.<sup>34</sup> Tory figures gave speeches that promoted a sense of urgency, with leader Michael Howard telling reporters that ‘Britain has reached a turning point. The pace of change is too great.’<sup>35</sup> The Conservatives’ campaign did make headlines, but senior figures within the Party subsequently voiced regret at the tone: ‘we didn’t need to lose so heavily’; it was ‘a disastrous campaign’, ‘a complete error’.<sup>36</sup> The day after the election result, Michael Howard announced his intention to resign.



Following a more extended leadership campaign than was typical for the Party, the Conservatives' then Shadow Education Secretary, David Cameron, was elected leader in December 2005. Cameron – and his followers, dubbed in the media as ‘Cameroons’ – believed that they would need to take a fundamentally different approach to issues that the Conservatives had traditionally ‘owned’. The Party could no longer exploit these issues in the way they had previously done, even just a few months earlier – at least, not if the Party wanted to win votes. There would need to be significant changes made to the policies on immigration and asylum, as well as law and order, and Europe – or at least, changes in the way policies were *presented*.

The Conservatives would put a ‘pause’ on discussing immigration and asylum, among other issues. Only then, when ‘we stopped going on about immigration’, would the public regain trust in the Party.<sup>37</sup> Cameron’s objective was to reverse the damage that had been done to the Party’s image; he and his advisors believed that keeping quiet on immigration would make it possible to direct the focus to policy areas (such as the environment) with which the leadership could signal a fresh and modern approach. According to the then shadow immigration minister Damian Green, ‘we basically started from zero [...] we said [...] we’re just going to develop a new policy and so, by definition, all previous policy was, then, sort of, suspended’.<sup>38</sup> Key initiatives, such as the proposed fixed limit for asylum seekers, were thrown out with next to no discussion. Attempts by indignant Conservative backbenchers and some elements within the media to steer the conversation back to the old favourites were rebuffed. Immigration was not a topic considered by the policy groups that Cameron set up, ostensibly to advise him and bring fresh ideas to the table, but in reality to buy time and give the public a chance to regain trust and respect in the Party.

When Cameron deemed it right for the Tories to bring immigration back in to the Party’s repertoire, he did not rush. The leadership took on a subtle, more sophisticated strategy than previously. Cameron’s cautious intervention took place during a Newsnight interview on BBC Television. By making a distinction—accurate or otherwise—between, on the one hand, cultural or ethnic prejudice and, on the other, concern over apparently practical matters like health, housing and education, he made it difficult, if not impossible, for critics to accuse

him of playing the race card.<sup>39</sup> In a later speech, he called for ‘a grown-up conversation’ about reducing immigration. 2008 saw the launch of a Conservative billboard poster which showed a picture of a young heterosexual family in silhouette (so no race implications could be drawn) alongside the tagline ‘REDUCE THE PRESSURE. PROPER CONTROLS ON IMMIGRATION SO OUR PUBLIC SERVICES CAN COPE. You can get it if you really want’.<sup>40</sup> Cameron’s risky move paid off: each faction within the Party, as represented at parliamentary and local level, took from the interventions what they wanted to hear. Immigration policy had been ‘skilfully factored back into the carefully-balanced offer’.<sup>41</sup>

When Cameron and his shadow ministers were not attributing concerns about immigration to pressure on public services rather than small-minded xenophobia, they were criticising the government for its incompetence and lack of credibility on the issue, instead of its policy per se. The Tories claimed that government policy was damaging and dangerous, and their claims were supported by media reports of illegal immigrants given employment in sensitive, high-security areas.<sup>42</sup> Furthermore, the government was condemned as ‘in denial’ as to the weak points within the system and their impact on communities. It worked well for the Conservatives that they were able to expose major operational shortcomings in the relevant departments. The Home Secretary, Charles Clarke, was dismissed from his post in the 2006 government reshuffle after it emerged that foreign prisoners had been released without being considered for deportation.<sup>43</sup>

There were occasions when this new and more strategic approach faltered in the face of what might be termed desperation, and initiatives were promised that were extremely popular with the public – but impossible to implement. Sometimes, the policy measures had been considered in little or no detail before they were announced. Cameron’s pledge in January 2010, just four months before the general election, to bring down net migration from the ‘hundreds of thousands’ (actually, then running at around a quarter of a million) to the ‘tens of thousands’ (fewer than 100,000) had undergone no serious analysis. It was a throwaway comment during an interview, in which, sources have said, his advisors reacted with horror behind the cameras when Cameron made it.<sup>44</sup> As one senior Conservative figure put it, ‘this extraordinary promise [...] that was a mistake’; the pledge had ‘failed to appreciate [...] that

we're now in a much more globalised economy'.<sup>45</sup> One senior figure from the Migration Advisory Committee (MAC) regarded it as an attempt to 'assuage the concerns of the great British public that [...] we the government are going to [...] *do something* about it' (my italics).<sup>46</sup>

Nonetheless, this and similar policies that resolved to tighten up immigration policy played well with the public. Broadsheets predicted that Cameron's Party would win a number of marginal seats if he pledged to cap immigration.<sup>47</sup> Two months before the 2010 general election, Ipsos MORI found that the Conservative lead over Labour on immigration and asylum was 11 percentage points, slightly higher than the party's ten-point lead on crime, and considerably higher than its three-point lead on the economy.<sup>48</sup> The Party's return to the issue of immigration seemed to be working well.

## 2010 to 2015

In an unusual turn of events, the general election of 2010 left no party with an overall majority. The Conservatives took the greatest number of seats (306) with 36 per cent of the vote, Labour 257 seats with 29 per cent of the vote, and the Liberal Democrats were left with 57 seats on 23 per cent of the vote. After five days of negotiation, a coalition government was formed – the first time in British history that a coalition had been formed directly from an election outcome. Immigration had played an important (though not the most important) part in the Tories' election campaign, with a full page of the manifesto dedicated to setting out new proposals on the issue. Cameron's personal pledge to reduce levels of net migration to the tens of thousands was a key component. In the words of a senior civil servant at the Home Office 'everything was geared towards the net migration target'.<sup>49</sup> In order to meet this objective, a number of new initiatives would be implemented.<sup>50</sup> There would be a presumption in favour of those migrants who would 'bring the most value to the British economy' along with an annual limit on the number of economic migrants from non-EU

countries. The student visa system, seen as the greatest weakness in UK border controls, would be reformed.

There were few policy areas in which the UK's coalition partners had more disparate views than immigration: it would turn out to be 'one of the most divisive issues within the coalition'.<sup>51</sup> The differences were apparent during the (often fractious) televised leaders' debates during the 2010 election campaign. Liberal Democrat leader Nick Clegg had called for 'an immigration system which works', while Cameron had condemned Liberal Democrat policy on the grounds that it would worsen the situation because the regularisation of illegal immigrants would lead to more, not less immigration. (Curiously, a few years later, Cameron was said to have suggested 'a route to normalise things for people who have been in the country for so many years that they are not going to leave' – to the laughter of the Liberal Democrat Cabinet ministers).<sup>52</sup> Further, the Liberal Democrat proposal to bring in a regional work permit system for immigrants was mocked: it 'sounds like they're going to put up border controls along the M5'. Clegg had referred to the cap on immigration, a central Conservative policy, as unworkable.<sup>53</sup>

Despite the profound differences between the two governing parties, the coalition agreement that eventually emerged was dominated by Tory policies. Not one of the Conservative proposals on immigration from the Party's manifesto was omitted.<sup>54</sup> There was little ambiguity in the coalition agreement of 2010: there would be an emphasis on tightening up immigration policy across the board.<sup>55</sup> It was said that managed flows would ensure better community cohesion and lessen the strain on public services. The policies detailed an annual limit on the number of non-EU economic migrants admitted to the UK though not, notably, a commitment to reduce net migration to below 100,000 – a victory for the Liberal Democrats.<sup>56</sup> A Border Police Force would be established, and an 'e-borders' system would be introduced, along with the reintroduction of exit checks (the Tories had removed them in 1994). Notably, there would be a new emphasis on 'abuse' within the immigration system and measures would be put in place to expedite the processing of asylum claims. In light of the much higher than expected inflows of migrants from A8 countries from 2004 onwards, citizens from any new EU member states would be subject to transitional controls. The only

explicit evidence of Liberal Democrat influence was a line which promised an end to the detention of immigrant minors.<sup>57</sup>

With enough significant obstacles to seriously delay the implementation of immigration policy, the Conservatives made efforts to depict themselves as tough and uncompromising. At various times, they considered trying to unpick EU laws on freedom of movement; an emergency ‘brake’ on the entry of low-skilled EU workers; a bounty scheme to discourage overstaying; and a cap on the number of international students. Most notably, the coalition government devoted an extraordinary amount of attention to the issue of illegal immigration. The Immigration Act of 2014 is a punitive piece of legislation, and explicit in its determination to make the UK a more ‘hostile’ place for illegal immigrants. The Act allowed for foreign, convicted criminals to be deported first and allowed to appeal later, once they are outside the UK. It also made it much more difficult, if not impossible, for irregular migrants to open a bank account, apply for a driving licence or rent private accommodation.

The Conservatives’ efforts to discourage illegal immigrants from remaining in the UK may seem disproportionate given that this category make up a tiny proportion of the immigrant population. Legislation, not to mention enforcement, targeted at illegal immigrants requires a great deal of resources. Yet it was sensible for the Tories to expand their efforts on making life more difficult for irregular immigrants: the strategy was intended to reinforce a certain image of the Party as firm and competent: tough and punitive on those who do not ‘play by the rules’. Further, illegal immigrants were the target of much negative, even hostile, public opinion. Indeed, at least one Tory figure regarded the great volume of initiatives to deal with illegal immigration as a means of ‘shutting people up’.<sup>58</sup> One senior Liberal Democrat agreed that the Tories’ policies would make little difference to the overall figures but that they were ‘willing to take that on the chin [...] they felt the threat from the right articulated by the popular press was sufficiently serious’.<sup>59</sup>

The Tory-led coalition government did more than look hard-line and competent: it brought in a number of important changes to immigration policy in a relatively short timeframe. The then Business Secretary, Vince Cable said that the Home Secretary ‘kept coming back to this

issue every year with some new proposals for closing some new loophole that they'd found or making it more difficult generally'.<sup>60</sup> The junior Home Office Minister Norman Baker recalled that '[t]hey [the Conservatives] wouldn't leave it [immigration policy] alone, they had to pick away at it every week'.<sup>61</sup> Many, if not all, of these measures were geared towards reducing levels of immigration to the UK, yet, while they were significant developments, they were not as effective as the Conservatives would have liked. By the end of this parliament, net migration was not significantly lower than it was at the start of the coalition's term in 2010. In fact, in the 12 months to March 2015, net migration hit a record high of 330,000.<sup>62</sup>

Efforts to reduce immigration can, on this basis at least, be regarded as something of a failure, and an understandable one, given that the coalition government had little control over migration from within the rest of the EU which made up nearly half of total immigration. It is unclear, however, to what extent the government was punished for its failure to meet its target; voters, after all, attach more meaning to their lived experiences and perceptions than statistics.<sup>63</sup> However, in the run-up to the 2015 election, the Tories retained the pledge to reduce net migration to the tens of thousands. According to a prominent backbencher, it was 'difficult to see without a very significant change in policy what could result in that target being achieved'.<sup>64</sup> There would need to be a significant change to EU treaty negotiations.<sup>65</sup> In the aftermath of the UK's referendum vote to leave the EU, it could be assumed that Cameron's negotiations had been unsuccessful.

## **7.2 Explaining Conservative immigration policy**

### **The dynamics of government versus opposition**

My first proposition suggests that the different dynamics of government and opposition impact on the Conservative Party's immigration policy. I find that 'the politics of power' versus the 'politics of support' dynamic is a useful way of explaining policy change (or lack of it) between 1997 to 2015.<sup>66</sup> During this period, it is notable that there was a delay in the Conservatives' coming to terms with the dynamics of being in opposition, particularly during the first parliament, when the Party operated as if it were still in government. In the penultimate parliament, from 2005 to 2010, the Conservatives' policy-making seemed to switch between the two roles. The Party's inability to adapt accordingly to its changed circumstances did seem to impact on its immigration policy, which was at times, fairly moderate if unremarkable and, on occasion, impractical but headline-grabbing.

### **1997 to 2001**

During the first parliament of this period, the Conservatives did not depart from their 'politics of power' role – despite the fact that they were no longer in government. In no sense was the Conservative Party an effective opposition. On resigning the leadership, John Major said 'When the curtain falls it's time to get off the stage and that is what I propose to do.'<sup>67</sup> His colleagues, however, did not seem to have understood the severity of the situation. After nearly two decades in power, any election defeat (and especially one on such a scale as this) would have been something of a shock for the Conservatives. It took time for the Party to realise that different dynamics were in operation. Predictably, there was some degree of complacency among Conservative politicians. One MP later recalled that '[w]e didn't really believe that we needed to change very much [...] If you look back there's no indication really that the Party leadership accepted that the public had rather tired of quite significant parts of our overall outlook'.<sup>68</sup>

The belief that voters would return to the Conservatives if the Party held tight greatly influenced the Party's strategy, and, in turn, its immigration policy-making. Many within the parliamentary party accepted a narrative in which the 1997 general election defeat was an

exceptional event, and that normal service would be resumed soon, with the ‘natural party of government’ back in office. If, as many believed, the electorate had been only temporarily lured away from the Conservative Party and voters were still keen on the Tories and their policies, there would be no sense in changing them. As such, immigration policy in opposition continued much as it had when the Party was in government (*generally* pragmatic and events-driven, with language that was moderate and yet vague enough to mean anything to anyone.)

It was only towards the end of this parliament that senior Tories began to come to terms with their new role as an opposition party – and the opportunities that were now available to them. Opposition freed the Conservatives from practical considerations. Their proposals would not need to be meticulously checked because they would probably not be implemented. Policies became less of a blueprint for action, and more of an opportunity for the Tories to work on their pet projects and, if possible, gain publicity for the Party. In the early 2000s, the Conservatives proposed that immigration officers should ‘meet the planes’. This would, supposedly, have prevented immigrants from destroying their paperwork and falsifying claims as to their origin so as to better increase their chances of receiving refugee status. The then Shadow Home Secretary later acknowledged that the policy was uncoded and unworkable: ‘It’s very expensive. And I didn’t realise that, until right up at the election itself, in 2001 [The cost was] huge, much bigger than I expected’.<sup>69</sup> By promoting policies and initiatives that were popular with core voters, if not necessarily viable, the Conservatives were moving into the ‘politics of support’ role that opposition traditionally produces.

## **2001 to 2005**

The loss of the 2001 election marked something of a turning point for the Conservatives. The 1997 defeat could no longer be considered a fluke, and the need to operate as an effective and functional opposition party was more apparent than ever. The Party had become an inward-looking organisation, which was receiving little in the way of column inches or public



interest. It was at this point that the bulk of the Conservative parliamentary party realised that they could no longer behave like an embittered government which had found itself out of office. To combat this attitude, the leadership resolved to take on the ‘politics of support’ role typically associated with parties in opposition. Senior Tories worked on a two-pronged strategy.

First, the Party brought in striking and populist policies that were headline-winning, if somewhat vague and unlikely or even impossible to implement. Ann Widdecombe, who was Shadow Home Secretary from 1999 to 2001, argued that the need to obtain media coverage was essential for the Party in opposition: the media were ‘always going to be a bigger factor [than in government] because you are wanting to say things which chime with public opinion, because you’re trying to change the government’.<sup>70</sup> Hence, it was posited that a Conservative government would revoke the Geneva Convention and introduce a fixed quota for the number of asylum seekers that the UK would accept. All means of entry into the country (ports and airports) would be under 24-hour surveillance. Perhaps even more prominent than the swathe of asylum-related policies was the pledge to bring in a points-based system for economic migrants – with annual limits. There was little explanation of the criteria that would allow an applicant to obtain a visa, or an estimate of the likely threshold for the number of points required.

Second, the Party made a deliberate effort to spend much of its time criticising the government – in a more nuanced and sophisticated way. The criticism was focused not so much on the *policies* of the government, as previously, but on the government’s incompetence. In 2004, leader Michael Howard argued that ‘You cannot have a credible immigration policy if anyone can circumvent it by entering our country illegally, uttering the words “I claim asylum” and be allowed to stay here even if they have no genuine claim’.<sup>71</sup> He remarked that the government had ‘failed to address [the problem], then it ignored it, now it is claiming to face up to it’.<sup>72</sup> The intention was that the Party would, in holding the government to account in pointing out serious and systematic failures, be seen to be doing its democratic duty and upholding its role as the official opposition, while simultaneously offering solutions that were apparently simple and striking.

Whatever it was, it seemed to work – at least for a while; the strategy troubled the government, especially when, as in certain cases, focusing attention on the inadequacies of the government did more than win media attention for the Conservatives. Shadow Home Secretary David Davis ‘was able to claim the scalps of both junior and senior ministers’ after pointing out issues within the system.<sup>73</sup> In 2004, when it was found that proper checks in the visa system had been put aside, immigration minister Beverley Hughes was forced to resign. In the same year, Home Secretary David Blunkett left his post following claims that he had intervened to expedite the visa application of his former lover’s nanny. Unfortunately, media coverage did not translate into votes.<sup>74</sup> One Conservative MP found it paradoxical that ‘the public can trust you on a particular issue, but banging on about it may not help you electorally’.<sup>75</sup> Trust was not enough to transform the Conservatives into a credible and competent potential government. As one senior Conservative figure recalled, ‘we were bound to be defeated, we had not motivated ourselves to look electable.’<sup>76</sup>

## 2005 to 2010

Following the defeat at the 2005 general election, the Tories continued in opposition, and yet now they seemed to carry out a U-turn by moving towards the ‘politics of power’ role usually associated with governments. The Party deliberately made efforts to look statesmanlike; promises were made to deal with difficult issues in a quiet and sensible manner; its immigration policy would be grounded in reality and informed by evidence. Interventions on immigration policy were infrequent and subdued. One example is the Conservative Party report, *Controlling Economic Migration*, published in November 2006. Jointly-written by Shadow Home Secretary David Davis (‘who nobody would accuse of being soft’) and his junior colleague, Damian Green, the report attempted to move the focus away from asylum – an issue on which the Party now realised its tone had been particularly off-putting.<sup>77</sup> The report is a moderate piece of work, which calls for the (re-)establishment of a consensus on immigration – one that would have been familiar to British politicians in, for example, the 1960s, based as it was on the idea that decent community relations are best maintained by

strict control of immigration designed to benefit the economy without placing too much strain on public services.<sup>78</sup> Even so, the media maintained that the report had been released quietly in order to receive minimum attention.

By contrast, the second half of the parliament found the Conservatives in a position more typically associated with a party in opposition. During this period, the Tories returned – and not reluctantly – to the ‘politics of support’. The objective was to remodel the Party as an effective and energetic opposition: it would be (justifiably) critical of government and it would promote tempting policies. The Conservatives worked to develop populist and restrictive new measures, such as a quota for economic immigrants and the introduction of a border police force with the power to arrest and detain suspects. There was less emphasis on softer initiatives, such as David Cameron’s personal promise that gay people who had been persecuted on account of their sexuality should be given asylum in the UK.

There are two possible explanations as to why Cameron’s Conservatives decided to (tentatively) re-introduce the issue of immigration towards the latter half of this period. First, it is conceivable that the leadership believed that the break from traditional Conservative policy areas (not only immigration, but Europe and crime too), combined with a new emphasis on ‘softer’ issues had worked to rehabilitate the Party’s public image. Voters had begun to regard the Tories as a respectable – and competent – political party, rather than a bitter, obsessive and retrograde organisation. With the public ready to listen to the Party again, it was time to return to the ‘old favourites’ – of which immigration policy was one – and be both responsive and responsible.

The other explanation for the return to the immigration issue rests on the context, specifically the possibility of an election being called. As 2007 wore on, it seemed increasingly likely that Prime Minister Gordon Brown would call an early election, most likely that autumn. Cameron – who was under a great deal of pressure to finish the modernisation project and return to more familiar ground – wobbled. The Party had been doing well coming across in a more sensible, even statesmanlike way. In opposition under Cameron, it had been following the rules of the politics of power, more usually observed when in government. Now, with an

election apparently on the horizon, it was time to switch into the ‘politics of support’, and to push tried and tested issues up the agenda to score votes.

In fact, these explanations can work well together. It is possible that the leadership *did* believe that it was time to carefully reintroduce the issue of immigration because the public would now listen to a more humble, more moderate Party – and yet simultaneously worry about electoral concerns and, as a kind of insurance, bring back those issues on which it had always been regarded with a higher degree of trust than its opposition. So, while Cameron refused to panic, he did decide to bring forward something he had been planning to do rather later on—namely the reincorporation of some of the party’s more populist policies. He did so—having gained ‘permission to be heard’—partly in anticipation of an early contest and partly to quell mounting concern within his own ranks.

Populist policies which were thought to chime with public opinion were of particular interest to the Conservatives in opposition. Public opinion had a greater impact as a driver of immigration policy change when the Party was in opposition than when the Party was in office. According to senior Tory politicians, this was partly down to the greater complexities of government. In the words of one prominent Conservative ‘in government, you’ve got other pressures on you, because it’s got to be practical, it’s got to be workable’.<sup>79</sup> In opposition, public opinion was one factor among many to consider; in government, it was one factor among dozens to consider.<sup>80</sup> The ‘tens of thousands’ net migration target is a key example – in opposition it was something of a dream – a recognisable and popular policy for which there was a ‘significant expectation that it should be achieved’.<sup>81</sup> One senior Conservative said that ‘they [the politicians] didn’t think it was reckless, because, not knowing much about the subject, they assumed it would be quite easy to get back to the figures of the early 1990s’.<sup>82</sup> There was a different view within the civil service: it was ‘never really an achievable target’ because the levers were outside government controls.<sup>83</sup>

## 2010 to 2015

In 2010, the realities of government presented complications for the Conservative Party which had been close to irrelevant when the Party was in opposition. Even when policies made their way onto the white papers, there were sufficient obstacles which delayed or even modified the resulting legislation. The Tories were unable to implement fully the pledges made in opposition; they could not restrict levels of immigration to the extent that they had promised. Yet the Tories could not abandon their key pledge: ‘it would look like you were giving up on the whole objective’ of reducing levels of migration, according to one Conservative MP.<sup>84</sup> For Theresa May, it would be a personal failure if the target were not met. Vince Cable said: ‘She has taken this target seriously. She’s obviously fixated [...] she’s very worried she can’t deliver a target which accidentally she kind of signed up to. The reason she keeps proposing basically silly things, like graduates not being allowed to work here is that it’s the only damn way of getting nearer to her target’.<sup>85</sup> The ‘politics of power’ was a difficult role for the Tories to take on.

The first obstacle was the unexpected need to form a coalition with the Liberal Democrats. Tory MPs, according to one Cabinet minister ‘don’t really think their party is in power right now’, as if a coalition was not real government. They did not express loyalty to their leadership, which they considered to have failed them. No wonder then that some 85 Tory rebels voted for an (non-government) amendment to the Immigration Bill of 2013 to make the deportation of foreign criminals mandatory.<sup>86</sup> More directly, it might be expected that coalition with one or more parties would dilute the policies of the main party. And there was, apparently ‘continual conflict’ and ‘difficult exchanges’ between the two parties on immigration.<sup>87</sup> Recent academic work has not found much evidence of Liberal Democrat influence on the coalition government’s immigration policy; they exerted little to no restraining influence over the Conservatives, though there is some evidence of minor initiatives being blocked.<sup>88</sup> Indeed, as one minister found, ‘by and large, Theresa [May] got her way’.<sup>89</sup> There are, however, some indications that the Liberal Democrats did have an impact on the Tories’ attempts to fully enact their policies. One Conservative minister with direct experience of forming immigration policy recalled how their junior partners repeatedly

delayed Tory efforts to cut levels of migration.<sup>90</sup> Business Secretary and Liberal Democrat Vince Cable referred to himself and his colleagues having ‘stopped Theresa May doing what she wanted to do’, which in this case was to introduce a cap on the number of international students.<sup>91</sup>

Outside of the meeting rooms, the Liberal Democrats undermined Conservative immigration policy with extensive public criticism. In the summer of 2013, the Home Office commissioned billboard vans, inscribed with the message ‘go home’, which were directed at illegal immigrants. The pilot scheme attracted criticism that it was xenophobic and crude; some questioned whether the scheme was more to do with polishing the Tories’ ‘tough’ credentials than actively reducing illegal immigration in the UK. The scheme proved to be too much for the Conservatives’ junior partners. Vince Cable alleged that the adverts had been designed ‘to create a sense of fear in the British population’.<sup>92</sup> He maintained that the Liberal Democrat ministers within the government had not been consulted, and that the ‘stupid and offensive’ campaign should be stopped.<sup>93</sup>

There were issues for the coalition, too, when the Liberal Democrats experienced their own internal divisions – with key figures supporting and blocking the very same policy. In 2013, plans were made to introduce a security deposit, or bounty scheme as it was known within the coalition (‘Theresa May had this idea [that] everybody applying for a visa should deposit some vast sum of money, and if they went home, they’d get [it back]’).<sup>94</sup> The policy was something that leader Clegg ‘temporarily went along with’; he had been ‘persuaded to endorse it’.<sup>95</sup> In advance of Clegg giving a speech on the scheme, Vince Cable, who as Business Secretary had a forthcoming trip to India, where the prospect of the scheme was likely to be greeted with dismay – publicly ‘denounced’ the policy.<sup>96</sup> The scheme was ‘wound up eventually, because it had run into so much resistance’.<sup>97</sup>

The second obstacle with which the Tories were presented was the continuing European economic crisis – and its prolonged and unforeseen consequences. Even without the difficulties in Europe, immigration was likely to have proved a bone of contention between the two coalition partners because it fed into another, possibly even more profound,

difference between them, namely their respective positions on the European Union. However, with Europe recovering slowly from the global economic downturn of 2008-9, net migration to the UK from its EU partners increased over this period as many of their citizens moved to a country that was doing marginally better than their own. As a result, the coalition government was unable to keep its pledge to reduce net migration figures. One former immigration minister viewed the European ‘crisis’ as directly responsible for the failure to bring net migration down to below 100,000.<sup>98</sup>

Existing international legislation also proved to be a problem, with Cameron said to be severely constrained by what one interviewee referred to as the ‘Brussels straitjacket’.<sup>99</sup> Changes to various categories of non-EU migrants made little difference to the migration figures – and the Conservatives knew it. As Cable put it, the Tories ‘knew perfectly well that all this playing around with students and Tier 2 visas wasn’t the issue. The real issue, as Farage was pointing out, was migration from the European Union [...] But they were stuck because they couldn’t really do anything about it. Because of freedom of movement’.<sup>100</sup> The Conservative-led government may have acknowledged that the current rules limited its scope for action, but that did not prevent it from attempting to revise the rules. In 2012, Home Secretary Theresa May began talking about curbs on EU migration, such as limiting access to the UK for dependants of EU citizens and access to benefits for EU citizens. Although free movement of EU workers is a central part of the EU’s single market, May was said to be considering ‘revers[ing] previous European Court of Justice judgements that have in effect redefined free movement as available to *citizens* rather than merely *workers*’ (my italics).<sup>101</sup>

The constraining influence of rules on freedom of movement was of particular concern for the Tory government, with the then impending lifting of transitional controls on Romanians and Bulgarians provoking concern that there would be a new influx of migrants to the UK. Tabloid headlines stoked up fears by reporting on extra planes being booked to deal with demand from Romania and Bulgaria; independent investigations found no evidence for this.<sup>102</sup> Nonetheless, the government had difficulty with the issue, and in January 2014 had to stave off a backbench rebellion.<sup>103</sup> Cameron acknowledged the limitations of being a member state within the EU: ‘We’ve done the extent of what we can do within the rules’.<sup>104</sup>

In the final years of this government, immigration control became conflated with that of EU ‘interference’ with national issues.

Cameron’s plans to discourage EU workers exercising their freedom of movement by entering the UK were condemned internationally. European Commission president José Manuel Barroso described Tory plans to apply an ‘emergency brake’ or even bring in a cap on low-skilled EU workers as a ‘historic mistake’ and contrary to EU law.<sup>105</sup> It was reported that the number of national insurance registrations issued to EU immigrants with low skills could be restricted in order to reduce immigration. Germany appeared to rule out Cameron’s plan to limit EU migrants in the UK: German Chancellor Angela Merkel dismissed this idea, saying there could be no ‘tamper[ing]’ with the EU principle of free movement – which may explain why David Cameron’s ‘big speech’ on immigration in late November 2014 made no mention of ideas that had been floated to impose quotas or some sort of emergency brake on the right of European citizens to enter the UK without hindrance but resorted instead to promising changes to the benefits system.<sup>106</sup>

The third obstacle was the business community, whose interests were not aligned with overall Conservative policy to reduce migration figures. The City and accountancy firms were ‘prominent in their lobbying’.<sup>107</sup> Business Secretary Vince Cable and his team received information that ‘senior members of the Chinese government who wanted to come here and sign deals were being refused visas’.<sup>108</sup> The policy on student immigration was said to be ‘doing quite a lot of harm, it was wiping out the private sector’, and the Tier 2 visa system generated warnings from companies that this was ‘going to seriously affect their competence’ in recruiting graduates.<sup>109</sup> Regular meetings with representatives of the business community resulted in something of a consolation prize. Following persistent lobbying, ICTs (intra-company transfers), involving the transfer of individuals already employed by a company to other posts based in the UK, were not subject to the cap on non-EU immigration numbers. This loosening of controls was criticised by some within the Conservatives, but remained in place for the duration of the parliament and beyond.



The official granting of special privileges to business people, entrepreneurs and investors, however, had little or no precedent. In recent years, for example, changes meant that those with a Tier 1 (Investor) visa could apply for resident status after three years (the usual period was five years) if they invested £5 million in the UK. For £10 million, visitors on Investor visas could pursue a fast-track settlement after two years. In addition, ‘high-potential’ business people no longer needed to bring funding of at least £200,000 for a visa to the UK; they could come at the comparatively knock-down rate of £50,000 if the funding came from a government-approved ‘reputable’ organisation. They were also welcome to bring along their business partners. Investors were now allowed to spend up to 180 days outside of the UK, a doubling of the previous limit of 90 days, without this having a negative impact on their right to settle in the UK.<sup>110</sup> Never before had there been such an emphasis on those with significant financial resources being given preferential treatment and a clear route to Britain.

## Electoral considerations, leadership and factions

My second proposition states that there are three key factors behind changes in immigration policy, namely, electoral motivations or the vote-winning imperative; the personal convictions and managerial style of the leadership of the Party; and the factions that, to a greater or lesser extent, run the Party. I find there to be differences in the way each of these factors impact on the development of policy. Electoral motivations did drive the making of Conservative Party immigration policy throughout this period. What changed was the strategy by which the Conservatives decide to pick up votes: whether to stick with the core vote, or to reach out to the centre ground, to pick up those on peripheries and whether to listen and follow public opinion – or to direct it. The leadership factor had a considerable impact too: there are notable differences in how the various leaders of the Party approached immigration as a topic – and the lengths they were prepared to go to exploit it. Further, different leaders were more or less susceptible to pressures from different factions of the Conservative Party. While I found little evidence that changes to the factions of the Party had an impact on immigration policy, it is, of course, worth remembering that the leading factions

support or reject the leader of their Party – and the leaders have particular factions to thank for their position. It does seem evident that immigration policy was used at times as a means to mollify certain wings of the Party by giving them what they wanted.

## **1997 to 2001**

### **Electoral motivations**

To begin with, and counter-intuitively, given the scale of the Tories' defeat, electoral motivations were less important as a driver behind immigration policy than at just about any other time. The consensus within the parliamentary party was that the loss was nothing more than a freak event; there was nothing 'wrong' with the Conservatives and in time, the electorate would return to them. The development of immigration policy was, like many other policies at this time, stymied by the existential questions that the Party was asking. As Hayton put it, a certain amount of 'intellectual uncertainty over the direction and purpose of conservatism contributed to the difficulties the party experienced in terms of developing a new programme and narrative'.<sup>111</sup>

Given, in part, Labour's landslide of 1997, it was so difficult for the Conservatives to receive press attention – and so keen were they to have it – that media tactics became part of Conservative strategy on policy-making. There were reports of Party strategists coming up with headlines, and then developing policy to match the headlines.<sup>112</sup> One particularly well-used method of securing press coverage was 'linking hard-line messages on immigration, law and order, and Europe, to breaking news stories'.<sup>113</sup> No wonder then, that policy-making seemed fragmented and reactionary, and policies were just a desperate means of attracting attention.

By the end of the parliament, the Conservative Party was some distance from the average voter on certain key policy issues, of which immigration and asylum was just one. Attempts

to drag the party further to the right were intended to bridge the gap between the Party and the public – but they were misjudged. The Party had made little visible progress at moving towards the centre – and there was little impetus from within the Party to do so. It continued to look hard-line, obsessive and out of touch – even to its core supporters.<sup>114</sup> Even the usually pro-Conservative newspaper *The Daily Mail* recalled that there was ‘nothing extreme about Conservative policies [...] but there was an abrasiveness of tone that sometimes gave the impression of extremism’.<sup>115</sup> One less sympathetic broadsheet described the Tory campaign in 2001 as ‘unpopular populism’.<sup>116</sup>

### Leadership

What is of greater importance with regard to immigration policy (in terms of the substance, the emphasis, the tone of the policy), at least, in the 1997 to 2001 period, was the leadership of the Party. John Major’s resignation soon after the general election left space for leadership contenders to run campaigns which would, in part, showcase their vision for the Party. It is worth noting, as Bale points out, that the 1997 leadership campaign was centred around Europe and the single currency – and there was remarkably little about the Party’s recent defeat and what it would need to do to win back voters.<sup>117</sup>

Unfortunately for the Party, William Hague’s lack of a personal interest in immigration and the Party’s unsettled state meant that there was no clear and coherent approach to immigration. True, he was, in the words of a colleague ‘a right winger. Let’s not pretend he was a prisoner of the right’.<sup>118</sup> Yet, Conservative Party advisors had concerns about Hague’s lack of authority (and hence, his capacity to command the Party) from the very start. Efforts to turn somebody who had been portrayed as a ‘Hansard-reading teenage conformist and tweed-jacketed Young Conservative’ into a more ordinary figure failed.<sup>119</sup>

Hague’s efforts to portray the Conservative Party as tough on asylum seekers was a risky strategy. First, populist measures may have attracted supportive headlines but there were few votes in it. Second, such a move did not help to represent the Tories as a reasonable and

tolerant party – it was the very opposite of reassurance. Third, in perpetuating a certain image of the party, it restricted the Conservatives. By deciding to employ a heavy focus on asylum, the Party had little room for other issues – such as healthcare and the economy – which, unfortunately for the Conservatives, were of great importance to the public.<sup>120</sup> Hague, then, found it ‘much harder to get coverage’, especially on issues that were not traditionally associated with the Conservatives.

### Factions

The right-wing faction within the Conservative Party was responsible, to some degree, for the direction of Party policy on immigration during the 1997 parliament. While Hague had initially tried to rebrand the Conservatives as a more compassionate force, he moved back to concentrating on the Conservatives’ core vote, rather than the more moderate middle ground, following extensive pressure from the right-wing of the Party.<sup>121</sup> Even if Hague had wanted to bring in a quite different immigration policy, he did not have the authority to pursue a real agenda with regard to concrete policy change. Furthermore, his attempts to keep all wings of the Party content came at the cost of seeming opportunistic as he switched between the different factions.<sup>122</sup> Policy was ‘driven by short-term, electoral strategies and calculations, which themselves were disputed in Conservative ranks’.<sup>123</sup>

## 2001 to 2005

### Electoral motivations

Soon after the 2001 electoral defeat, the Vice Chairman of the Party, Steve Norris said:

The key lesson of Thursday's defeat is that the issues we chose to campaign on - asylum, Europe, tax - were not the things that most people regarded as crucial, even

though they greatly excited Conservative activists. We may have been right about those issues, but what good is that when we are out of power.<sup>124</sup>

Norris' words seemed to go unheard. In fact, during this parliament, the Conservative Party took a more myopic and restrictionist take on immigration than previously. While some of the proposed measures may have been popular with the public, the issue of immigration was not a priority for many voters at this time. Further, the Tories' tone on the issue came across as rough and unkind and was off-putting to some.

Given the Party's preoccupation with the possibility of further electoral failure, it was deemed sensible for the Conservatives to turn its hand back to immigration. The Party had endured two major electoral defeats in four years (1997, 2001) and did not want to lose a third, so it swung rightwards to make itself stand out. In the face of further defeat, the Conservative Party was 'driven back to its heartland', or, more charitably, it focused on its core vote.<sup>125</sup> Hayton has argued that it was a 'sound electoral calculation'.<sup>126</sup> Nominally, immigration was a 'safe' issue for the Conservatives, and it also happened to be 'a growing concern' for the public.<sup>127</sup> And this despite the fact that levels of migration were decreasing during this period. In January 2005 it was reported that asylum applications were down by 40 per cent and immigration applications by ten per cent.<sup>128</sup> However, public concern, and hence, the salience of the issue was high – despite the declining figures. In the two years leading up to the election (and approximately the period Michael Howard had been leader of the Party), 29 per cent of the public considered immigration to be an important issue.<sup>129</sup> Cowley and Green regard the decision to make use of immigration as an electoral issue as more of a desperate last ploy than a thoughtful reckoning: they have suggested that the Conservatives 'had little choice' other than to emphasise immigration, when it was one of the few issues where they retained a lead over Labour as the best party for the issue.<sup>130</sup>

The Conservatives' strategy fits tidily with salience theory, that is, that one must 'raise the salience of your own issue strengths and neutralise or downplay the strengths of your opponent'.<sup>131</sup> The second half of this statement, that is, the neutralising of the strengths of the opponents, had, according to Michael Howard occurred in the then recent past. Speaking about why the 2005 campaign had focused on immigration, rather than immigration and

Europe, he maintained that the issue of Europe and the euro had been neutralised by Labour's pledge of a referendum, whereas this was not the case with immigration'.<sup>132</sup> So this deliberate effort to do more on immigration, and less on Europe, was in part a response to the 2001 defeat, when Europe played a greater role. Howard himself justified this: 'There wasn't going to be a referendum on immigration [...] it was completely different'.<sup>133</sup>

True, the immigration issue may have made headlines for the Party, which it sorely needed in opposition, but the column inches did not translate into votes.<sup>134</sup> The Conservatives turned their focus inward, to their core vote, but their 'heartland seats' were not representative of the country as a whole, and the Party could not win a plurality of seats with such an insular approach.<sup>135</sup> The policies proposed in the 2005 campaign were particularly restrictive, but the seemingly unpleasant and even vindictive tone of the campaign obscured the details of the policy proposals. Iain Duncan Smith found that they 'got terribly bogged down with asylum and immigration, which was a mistake'.<sup>136</sup> Damian Green echoed this opinion: 'there was a feeling that the 2005 campaign got the tone wrong'.<sup>137</sup> One senior Conservative figure, has recalled that Howard 'slightly lost control of it [...] I don't think he intended to make it such an immigration dominated campaign. It cost us a lot of votes'.<sup>138</sup>

## Leadership

The change in leadership is one explanatory factor behind the Conservatives' move in a more restrictionist direction. Iain Duncan Smith was viewed by some within the parliamentary party as an 'unthinking reactionary right-winger' who leaned to the populist side.<sup>139</sup> Months into Duncan Smith's leadership, it was revealed that he had, in the mid-1990s, held meetings with the extremist French *Front National* (who were at the time campaigning against black immigration). Initially, Duncan Smith had made an effort to downplay his right-wing image. His leadership manifesto was launched at an event in multicultural Bradford, surrounded by leaders of the local Asian community.<sup>140</sup> However, his early efforts to depict a more kindly and tolerant Conservative Party did not receive support from all quarters. Parliamentarians with close links to the leadership were concerned that fiddling with the Party's image would

only worsen its electoral prospects – a modern and ‘politically correct’ Tory Party would not be able to exploit its lead on the traditional Conservative issues of immigration, Europe, and taxation. Ultimately, Duncan Smith performed in a similar way to his predecessor. Namely, immigration policy was left on the side-lines until the Party became nervous enough to bring it back.

The leadership factor became more critical to immigration policy-making when the Party was led by Michael Howard. He did not have the qualms of his predecessor and saw little point in keeping all wings of the Party satisfied. Under his leadership, the Conservatives’ immigration policy became more hard-line and more restrictive in an attempt to bring voters back onside. Further, Howard had become leader in 2003, and had next to no time in the run-up to the 2005 election to experiment with a new strategy, even if he had wanted to. Howard saw votes in immigration policy and was prepared to exploit it; he ‘was not a strategist but a tactician’, and an opportunist.<sup>141</sup> At one meeting in 2004, the leadership’s inner circle discussed the Party’s lack of a defined vision. Howard was dismissive, arguing that his leadership would not involve such pretensions: ‘Talking about small concrete measures to improve people’s lives is what I am about, not having a big idea or a vision’.<sup>142</sup> This was the moment when one member of the group realised ‘We were not going to have a strategy’.<sup>143</sup>

## Factions

The right-wing factions of the Conservative Party would not tolerate Iain Duncan Smith’s experimentation with a more moderate approach. A sizeable proportion of the parliamentary party had grown frustrated by the Party’s new model of operation – and they did not keep quiet about it. Duncan Smith’s period of experimentation was short-lived. In May 2002, in an intervention widely seen as an opportunistic attempt to seize the moment, Duncan Smith was reported to have ‘thrown down the gauntlet over the immigration crisis’.<sup>144</sup> He argued that the UK should not accept the 1,300 asylum seekers in the French camp of Sangatte; there should be no ‘white flag’. The *Daily Mail* described the piece Duncan Smith had penned for them as ‘his toughest and most uncompromising intervention on immigration’.<sup>145</sup>

The more centrist faction, with representation within the Shadow Cabinet and Conservative Central Office, was dismayed by the return to what they saw as an unpleasant way of doing politics. Some feared that Duncan Smith's intervention signalled a return to the errors of William Hague, whose leadership had initially been marked by a more liberal approach – at least in tone – but which had become more authoritarian over time by reverting to the issues that chimed with the core voters. Hague's heavy use of the asylum issue had gained few votes and stymied progress on regaining the centre ground.<sup>146</sup> Now, efforts by Duncan Smith and those around him to reposition the Party as a more caring and more sensitive organisation had been held back by Duncan Smith's comments, which one senior figure referred to as 'primitivism at its worst'.<sup>147</sup> One frontbencher argued that it was 'a mistake to go hard on asylum [...] It conflicts with our strategy of campaigning on public services and standing up for the vulnerable. If you have a strategy, you have to stick to it'.<sup>148</sup>

Ian Duncan Smith soon found it was not possible to develop policies that were both workable and consistent while keeping the different factions of the Party reasonably content. Frustration within the parliamentary party was directed at the leadership's 'confused and confusing' message, and the struggle to keep policy relatively coherent.<sup>149</sup> Commentators have noted that Duncan Smith's 'tendency to match each modernising move with something for the traditionalists' further damaged the Party's image.<sup>150</sup> His 'lack of judgement and inability to hold a consistent strategy' were unfortunate characteristics for a leader trying to keep his party on message.<sup>151</sup>

Michael Howard's decision to depict the Conservatives as strict and traditional in focus disturbed relations between the different wings of the Party and may, in fact, have worsened divisions among his own supporters. Several senior figures cautioned against the Tories bringing immigration back in as a key policy area. Theresa May had told Conference in 2002: 'Twice we went to the country unchanged, unrepentant, just plain unattractive. And twice we got slaughtered'.<sup>152</sup> Six months into his leadership, Howard told a meeting of the 1922 Committee that he had 'addressed' the public services issue, and that it was now time to move on to more productive territory, such as immigration, Europe and crime.<sup>153</sup> John Bercow, who was one of the backbenchers present, believes this to have been both premature



and a ‘mistake’.<sup>154</sup> Others have concurred, arguing that the Party had ‘not sufficiently decontaminated itself to have permission to talk about the issue’.<sup>155</sup>

The existence of serious divisions within the Conservative Party strengthened the leadership’s resolve to make use of immigration as an electoral issue. The previous leader, Iain Duncan Smith, had been stymied by a section within the Party which had remained unconvinced by his strategy and which had become more and more undisciplined.<sup>156</sup> Yet Howard believed that frequent use of old familiar topics would bring his fractured party together and make it more manageable. If that was not possible, at the very least, the offering of familiar Conservative themes might ‘rapidly create the *appearance* of a united and disciplined party’ (my italics).<sup>157</sup> The strategy did not work, and defeat seemed inevitable. As one senior Conservative figure put it ‘we were bound to lose in 2005 because we carried on [...] indulging in the same silly internal squabbles’.<sup>158</sup>

## **2005 to 2010**

### **Electoral motivations**

The Conservatives had now lost three consecutive general elections: the Party desperately needed to do something different – and quickly. Focus group work commissioned by the Party had found that the Conservatives were now such a toxic brand that, while the public were generally supportive of many Tory policies, they reconsidered their support when told which party had proposed the policy.<sup>159</sup> Cameron moved quickly to signal that he would push for a move towards a more moderate, more compassionate Party. And so in came a series of photo opportunities and speeches designed to show a leader embracing topics not usually associated with the Tories – ‘green’ concerns, gay rights, sympathy towards hooded sweatshirt-wearing youth. This was part of Cameron’s call for a ‘modern, compassionate Conservatism’.

Mid-way through the parliament, Cameron's Conservatives made efforts to bring immigration back in. This was, in part, because the motivation to avoid electoral failure had become more perceptible just a few years before the next general election. It was also because public concern was sufficiently strong for senior Tories to fear that voters would drift towards anti-immigration alternatives. And so a series of immigration-related initiatives were produced in an effort to allay concerns. The Conservative leadership attempted to move closer to the general public on immigration, but the public had grown less liberal, more hard-line – and were now much more worried by the issue of immigration. It was then a case of a party which had made a distinctive effort to be more moderate on the issue, deciding to wade back into the 'dirty' politics of populist and hard-line immigration rhetoric.

The Party's close attention to public opinion during this period cannot be overstated; there was close monitoring of opinion polls and focus groups. Senior figures working on immigration policy were convinced that they were being led by public concerns, rather than, perhaps, moulding concerns and taking the lead on the issue. It was not, in their opinion, 'politicians and newspapers whipping up public fever on immigration', a view which was 'dead wrong'; it was instead the case that the immigration issue 'bubble[d] up from the bottom'.<sup>160</sup> There was very much a sense that the public were able to monitor the flow of migration and to make clear when it was 'too high' or 'about right' or 'not a concern'.<sup>161</sup> Damian Green, saw immigration policy development as a response to emerging concerns:

The public inevitably doesn't have detailed views, it just wants immigration to be under control, so it would be a foolish politician who said, well, we're going to ignore public opinion, particularly as it's risen in salience over the period, so that's a very important thing to care about.<sup>162</sup>

Towards the end of 2008, this near deference to public opinion seemed to be working; the Conservatives had begun to build up a healthy lead in the opinion polls. Unfortunately, this was seen as substantiating the theories for different wings of the Party; that is, nearly everybody in the Party took from the polls what they wanted to see. So, the Tory right-wingers found proof that the Party did best when it swung in their direction. The modernisers, that is Cameron, and those around him, found evidence that they were better off taking a 'tough and tender' approach. By 2010, immigration was not ignored, but neither was it one

of the main campaigning topics – this was a deliberate move, based on an electoral calculation, on reaching out – ‘if we’d made that issue front and centre of our electoral campaign, it would have said something about us to some of the swing voters that we were trying to win over, which wouldn’t have been a very attractive thing’.<sup>163</sup>

## Leadership

The leadership factor is critical to explaining the developments in immigration policy during the parliament of 2005 to 2010. David Cameron’s election as leader signalled the start of a new strategy in which the Tories would take on a modernising and tolerant approach. The Party sought ‘permission to be heard’ after a prolonged period of decontamination by pursuing a more moderate approach. Cameron was just 39 years old when he became leader of the Party, and had been an MP for only four years. Inexperienced he may have seemed, but he had spent several years in the Conservative Research Department and had subsequently worked closely with Michael Howard. Despite this, he portrayed himself as a new face for the Party, someone who, in his own words, was ‘fed up with the Punch and Judy politics of Westminster’.<sup>164</sup> Cameron – a former public relations executive – understood well that the Conservatives needed to change their image.

## Factions

The wings of the Conservative Party were mollified by Cameron’s decision to appoint Damian Green, widely viewed as a left-of-centre Tory and a moderate, to the post of shadow spokesperson for immigration. On one side were ‘the modernisers’ – those who believed that the Conservative Party, if it were to stand a chance of winning the next general election and elections beyond that, had to change the way it looked and sounded. For them, Cameron’s decision was all of a piece with a new, more reasonable-sounding and evidence-based

approach to immigration policy-making, with none of the hysteria of previous years that had proved so off-putting to many voters – especially the well-heeled and well-educated voters who had left the Conservatives in their droves from 1997 onwards. Other Tories, however, who may have worried that Cameron’s rebranding project had been taken too far, and that it was a mistake to trust such an important portfolio to a politician with notably liberal views, were reminded that Green did not have totally free rein. He was accountable to then Shadow Home Secretary, David Davies, who was widely seen as a populist politician in touch with the Conservative rank and file. As noted elsewhere, this was no error; the dual appointment of Green and Davies ‘embodied Cameron’s strategy of keeping the right onside while not alienating more liberal-minded voters’.<sup>165</sup>

Green, who was to hold this position for the remainder of the opposition period before becoming immigration minister once the Tories had gained office, viewed his appointment as partly a reaction to the 2005 election in that it was about signalling a new sensitivity on immigration:

The task I was given was to enable us to develop robust, controlling immigration policies but in a language that didn’t repel people. So, we could tell that we would need to introduce better controls than had been there before, but there was a huge sensitivity that we mustn’t be seen and mustn’t be, in any way, pandering to unpleasant elements [...] that was the task I was given: to develop a tough policy but do it in moderate language.<sup>166</sup>

## **2010 to 2015**

### **Electoral motivations**

Electoral motivations were a strong influence during this period, with the Conservatives having failed to win an outright majority. With the Tory brand considered less toxic, hard-line immigration policies were seen to be popular with voters. Unfortunately for the Party, the hard-line approach did not seem to be satisfying voters; it may even have been making

them more concerned. In the preceding years, the number of people who considered immigration and immigrants to be one of the pressing issues in the UK had risen overall albeit with some variation.<sup>167</sup> One might have expected that, with the Conservatives bringing in more and more restrictive policies, the public would have grown more relaxed about the issue but this was not been the case. In May 2010, just before the coalition government was formed and when immigration policies were discussed in the widely-watched TV debates between the leaders of the then three main parties, 38 per cent of the public said immigration was their number one concern. Within months, this percentage had fallen to the mid-high 20s, rising to the mid-30s during the second half of 2013, reaching a peak of 41 per cent in early 2014, and then remaining in the high 30s thereafter.

One reason for this public dissatisfaction with Conservative policy on immigration was almost certainly the Party's perceived position on the electoral spectrum. Or, in other words, the prominence given to the issue by UKIP, which had taken a leaf out of the playbook of continental, radical, right-wing, populist parties and begun to mobilise heavily on migration as well as on what used to be its single signature issue, leaving the European Union. Frequent and high-profile amendments to immigration policy formed part of Tory efforts both to portray Labour as a soft touch on the issue and to prevent the loss of Conservative and potential Conservative voters to UKIP, both on immigration and on the linked issue of EU membership.<sup>168</sup> Senior Liberal Democrats openly remarked that their partner's tougher tone on immigration stemmed from electoral strategy rather than a pragmatic response to real-world developments or policies based on evidence. The Liberal Democrat Secretary for Energy and Climate Change Ed Davey, for instance, put Conservative Defence Secretary Michael Fallon's comments about immigration 'swamping' communities down to 'Conservative concerns of the UKIP threat in the Rochester by-election [rather than] the facts'.<sup>169</sup>

The move to an openly more restrictionist direction is not a strategy that seems to have worked, not least with regard to perceptions of the Conservative leadership. A YouGov survey from October 2014 polled the public on which of the four main party leaders they trusted to take the right decisions on key issues. Cameron was most trusted on the economy,

defence and tackling crime (typically traditional Conservative issues), Clegg on none of the issues, and Farage for immigration and Europe.<sup>170</sup> Moreover, both Tory defectors to UKIP, Douglas Carswell in Clacton and Mark Reckless in Rochester and Strood, won their by-elections easily. After the first defection to UKIP, the Tories were ‘terrified by the threat from the right’.<sup>171</sup> The second defection only emphasised the point – Reckless was explicit: ‘I promised to cut immigration while treating people fairly and humanely. I cannot keep that promise *as a Conservative*’ (my italics).<sup>172</sup> The decision to give a peerage to the chair of right-wing pressure group MigrationWatch, Andrew Green – seen by many as yet another attempt to reclaim the issue and bring in votes from the anti-PC brigade – looked no more likely to succeed.<sup>173</sup> Indeed, UKIP may have gained the most from such a strategy. Those close to the Tory leadership sensed that bringing more attention to immigration would make matters worse.<sup>174</sup>

### Leadership

Within a difficult context, David Cameron’s leadership was critical: he attempted to use the immigration issue (among others) to please the Party’s traditionalists without completely alienating its modernisers and, indeed, its business backers.<sup>175</sup> This was no simple polarised scenario of liberally-minded elites struggling with anti-immigration backbenchers. Some backbenchers privately argued for foreign students to be removed from net migration figures.<sup>176</sup> There were also the voluntary party members to contend with: Tory activists were, on the whole, more ‘sceptical’, in part, according to one parliamentarian because they did not receive the more balanced picture of the migration story.<sup>177</sup> Tensions were exposed between party factions, particularly over the legislation forcing private landlords to check if their tenants were legal immigrants – it brought out ‘real friction’ with Communities Secretary, Eric Pickles, objecting ‘we’re supposed to be an anti-regulation government, and here we are wanting to check the passports of every one person, small company in Britain. It is completely mad’.<sup>178</sup> Pickles was said to have ‘almost got into a shouting match with Cameron’ while May ‘insist[ed] that all these landlords are crooks, and that they’ve got to be

controlled, otherwise we'll have millions of illegal immigrants here'.<sup>179</sup> David Laws, Minister of State for the Cabinet Office, did not believe the proposal to be practical: checking entitlement to be in the UK would be difficult for most private individuals with little experience of genuine and false papers. He relayed his fears to immigration minister Mark Harper and was told not to worry.<sup>180</sup> Months later, it was found that the existing rules were too complex for even an immigration minister to follow: Harper resigned in February 2014 after it was discovered that his cleaner had no right to work in the UK.

Leaving aside the troublesome frontbenchers, David Cameron was also forced to contend with difficulties from his backbenchers. During this parliament, there was an unprecedented level of backbench rebellion.<sup>181</sup> Tory MPs voted against their government in some 25 per cent of votes.<sup>182</sup> Why were the Tory backbenchers so troublesome? Conservative parliamentarians were motivated by electoral concerns, especially as they had not won a majority at the 2010 election. The failure to win the election outright meant that it was difficult for Conservative whips to employ traditional whipping tactics, such as 'tell[ing] their MPs that they needed to support the Prime Minister who won them the election [...] given that he had not'.<sup>183</sup> Cameron could not 'command the clout' that would be expected of a Tory PM: he was 'limited by the fact that it was a Conservative-led government, but not a Conservative government'.<sup>184</sup> His powers of patronage were lessened in a government shared with another party, given the need to reserve posts for Liberal Democrats, thereby restricting posts for Tories.<sup>185</sup> Furthermore, the Tory backbenchers of 2010 were a different breed. They were more 'angry and independent-minded' than their predecessors.<sup>186</sup> There was an unusually high number of new MPs making up the parliamentary party – around 48 per cent – with many of them 'as likely to ascribe their election success to their own efforts as to those of the party leader' and consequently less loyal to the leader.<sup>187</sup>

Cameron was able to implement many of the policy pledges precisely because of the difficult context. He was caught between right wing and frustrated backbenchers pushing for more restrictions on levels of immigration and Liberal Democrats concerned that the proposals were unworkable and cruel. (Vince Cable, the Liberal Democrat Business Secretary described himself during this period as being 'more or less permanently at war with the Home

Secretary over aspects of immigration policy’.)<sup>188</sup> Within this context, the leadership could only disappoint (somebody) – and so it resolved to put in place measures that were tough, but not too tough. The coalition government’s restrictionist initiatives on immigration were largely the outcome of Cameron and the faction around him judging that they would play well with not only the wider party, but also the general public.

### Factions

The Conservative Party’s failure to win the 2010 election outright caused recriminations and further damaged relations between the different wings of the party. The Party was divided between rival factions which offered competing explanations for the loss of the 2005 election. Hence, immigration policy continued to be a source of tension for, or something of a tussle between, the different factions of the party. Some Tories blamed Cameron’s modernisation project, claiming that they had not been ‘Conservative’ enough to convince the public. On the other side, this was dismissed as ‘complete and utter nonsense. A myth always believed. The Conservative Right always believe [that] when you lose elections it’s because you weren’t right-wing enough’.<sup>189</sup> Other Tories privately worried that Cameron’s rebranding project had been taken too far, that it was running too far ahead of the majority of voters, particularly on immigration, and that it was a mistake to trust such an important portfolio to a politician with notably liberal views (Damian Green had made it from shadow to minister). Their concerns had only increased when Prime Minister Cameron appointed as his first (and only) Home Secretary, a woman, Theresa May, who had first come to prominence back in 2002 when, as Conservative Party Chairman she had warned delegates at the Tories’ annual conference that they needed to do all they could to rebut the charge that they had become ‘the nasty party’.<sup>190</sup>

It was the UKIP threat on its right flank that drove the Conservatives to adopt tougher and tougher positions – up to and including, a threat to make the ability to restrict free movement within the EU a ‘red line’ in Cameron’s putative renegotiation with Brussels in the run-up to the referendum. To modernisers, especially if they were also part of the small minority of



active Conservatives who were not, as a reflex, hostile to all things EU, this was worrying – a worry they shared with business, which, after all, has a vested interest in being able to recruit the brightest and the best without undue hindrance. Some Tory backbenchers believed that the existence of UKIP allowed the Tories to reposition themselves as a more moderate alternative, as well as to talk more openly about immigration. Senior Whip, Gavin Barwell believes the Conservative Party was ‘helped in being able to talk about it by the existence of UKIP [...] UKIP provides an opportunity for us, if you look at the political spectrum on this issue, we are no longer the right-wing party, we are the centre-right party’.<sup>191</sup>

The Conservative Party’s efforts to mimic the policies of its populist competitor confused policy development. Privately, some MPs recognised that ‘although UKIP clearly shifted the Tory Party’s position a bit, it didn’t shift it by anything as much as I thought it might’.<sup>192</sup> Nigel Farage was even able to condemn as ‘nasty’ and ‘unpleasant’ the coalition government’s billboard van campaign which urged illegal immigrants to ‘go home or face arrest’.<sup>193</sup> Perhaps, he volunteered, the billboards should be replaced with the slogan, ‘Please don’t vote UKIP. We’re doing something.’<sup>194</sup> The Spectator’s Alex Massie noted that the Tory pitch could best be summarised as: ‘UKIP are right. Don’t vote for them’.<sup>195</sup> The Conservative Party’s immigration policy has, in trying to out-UKIP UKIP, become muddled, vindictive, and at times, unworkable.

## 7.3 Conclusion

This chapter has examined the making of the Conservative Party’s immigration policy from 1997 to 2015. During this period, the Tories rarely put immigration policy to one side. The Party made heavy use of the issue in their election campaigns, particularly when the Tories were low in the opinion polls. In contrast to previous times, during this 18-year period immigration policy was regarded as a safe prospect for winning votes on traditional Conservative territory. More than one leader seized upon immigration as a means to bring together the often fractious wings of the Party. On some occasions, however, immigration served to widen divisions between the different wings. Immigration policy during this period

was, on the whole, hard-line and hyperbolic. In more recent years, policy was driven more by the Conservatives' concerns about losing voters (and even its own MPs) to UKIP than by anything else.

This period serves particularly well as a way of emphasising the different dynamics that operate on the Conservative Party during periods in government and periods in opposition. The first proposition is a helpful way of explaining not only why there were changes made to policy, but also how the changes fit into the broader narrative of increasingly restrictionist rhetoric. The following points have been derived from the main sections of this chapter.

After a long period in government followed by a general election defeat, it takes time for the Party to 'switch gear' and move into a role more usually observed in opposition. Policy is greatly influenced by this delay. During the first parliament of this period, this was particularly the case. Conservative politicians had grown complacent after long years in office and many struggled to adapt to the changed circumstances. They did what they knew best, and the Party operated like a 'shadow government' rather than an effective opposition. The general election defeat was not perceived by the Tories to be a rejection of them. Given that many Conservatives believed this defeat to have been something of an anomaly, there was little reason to change policy. Policy-wise, there was little departure from the 1997 manifesto commitments for immigration (which were generally pragmatic and moderate, if vague) during this parliament.

When the Party does adapt to the opposition, or 'politics of support' role, the difference in regard to policy is striking. In the early 2000s, the Party introduced headline-catching and populist policies that would be difficult or even impossible to implement. Similarly, in early 2010, the Tory promise to cut net migration to below 100,000 a year was perceived by Party insiders to be a recognisable and popular policy and there was a 'significant expectation that it should be achieved'.<sup>196</sup> And yet, the net migration figures were not within the full control of the UK government and the target was not met within that parliament. Nonetheless, there was significant press attention – and widespread public support – given to this pledge.

Parties can ‘mix and match’ the different roles; skilful politicians can take on elements of the ‘politics of power’ while in opposition, for example, with corresponding implications for policy. Most notably during this period, in the course of the parliament of 2005 to 2010, the Conservative Party did seem to switch between the two roles. After defeat at the 2005 election, the Tories remained in opposition, but their strategy changed. In fact, they seemed to take on the ‘politics of power’ role usually associated with governments. The Party made efforts to look statesmanlike; promises were made to deal with difficult issues in a quiet and sensible manner: immigration policy would be grounded in reality and informed by evidence. Interventions to immigration policy were infrequent and subdued. Within a few years, the Tories reverted back to a strategy more typically associated with the party in opposition: the ‘politics of support’. The Conservatives worked to develop broad-ranging, populist and restrictive new measures, such as a fixed quota for non-EU economic immigrants and the introduction of a border police force with the power to arrest and detain suspects.

In government, the Party struggled to put in place those policies that it had promised in opposition; no skilful manoeuvring could allow for key pledges to be implemented in full. For the Conservatives of the 2010 parliament, there were sufficient obstacles which delayed or even modified the resulting legislation. The Tories could not restrict levels of immigration to the extent that they wished to do. They were prevented by a combination of three obstacles: the unexpected need to form a coalition with the Liberal Democrats, who had substantially different views on immigration; the economic crisis in Europe and its prolonged and damaging consequences as well as and the existence of (EU and international) legislation which protected the rights of migrants; and lastly, the corporate world, whose interests were not aligned with overall Conservative policy to reduce immigration figures.

This chapter has also considered the three influencing factors with regard to party policy-making: the ‘fear of electoral defeat’, or, electoral calculations relating to elections in the recent past or future; the party leader’s interest in, and stance on, the issue as well as their managerial style; and lastly, the factions that, to some extent, direct the party.

Electoral motivations do affect the making of policy during this period, but what changes is the strategy by which the Conservatives decide to pick up votes: whether to stick with the core vote, or to reach out to the centre ground, to pick up those on the peripheries and whether to listen and follow public opinion – or to direct it. In the 2001 parliament, the Conservative Party was inward-looking; while some of the proposed measures may have been popular with the public, the issue of immigration was not a priority for most voters at this time. It was a similar scenario in 2003, after change in the Party leadership, when there was also a focus on the core vote. Howard had no time in the run-up to the 2005 election to experiment with a new strategy. The Party had endured two major electoral defeats in four years (1997, 2001) and did not want to lose a third, so it swung rightwards to make itself stand out. Electoral motivations were strong influences on policy-making in the latter half of this period too. By 2005, the Conservatives had lost three consecutive general elections: there was a desperate need to do something different and bring in voters not traditionally inclined to support the Tories of recent years. The Party moderated its tone on immigration. In coalition in 2010, with the Tory brand deemed slightly less toxic, hard-line immigration policies were seen to be popular with voters. The threat of Conservative voters switching support to UKIP also served to drive the Tories to adopt more hard-line positions.

Less important, but by no means insignificant was the leadership factor, which had a notable impact on the making of Conservative immigration policy. There were differences in how the leaders of the Party perceived the ‘problem’ of immigration and how they framed the solution. Some leaders more than others were constrained by different pressures, from an impending general election to a powerful faction within the Party. Hague’s near indifference to immigration policy meant that there was no clear and coherent approach to the topic. Under extensive pressure from the right-wing of the Party, he abandoned his attempt to rebrand the Conservatives as a moderate and compassionate force. David Cameron was better able to resist the demands of the right-wing of his Party, and he was able to maintain a more modern stance on immigration until he deemed it right to bring immigration back into the policy fold.

At first sight, there appears little to suggest that changes to the factions of the Party had an impact on immigration policy during this period, but that does not mean that this was

necessarily the case. After all, Cameron's ability to withstand the pressures from one wing of his Party was in part down to his support from other factions. The right-wing of the Party certainly pushed Iain Duncan Smith to take the Tories in a more restrictionist direction, but it was not possible to introduce policies that would keep the different factions of the Party reasonably content. His successor, Michael Howard, took a different line; in making extensive use of topics that were familiar to the Tories, of which immigration happened to be one, he hoped to bring the Party together. When in 2010 the Conservatives had not managed to convert their support into enough seats for a government of their own, relations between the different wings of the Party were further damaged. As this chapter has noted earlier, Cameron's leadership of the Party rested on his ability to keep all wings of the Party satisfied, at least as far as that was possible. Cameron managed to use the immigration issue as a means to contain the Party's traditionalists and its liberals without upsetting its modernisers and its supporters in business and the media.

## Notes

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<sup>1</sup> Interview with Ken Clarke, 20 January 2015.

<sup>2</sup> See revised data by the Office for National Statistics (ONS). Net migration to the UK was 268,000 in 2004, 267,000 in 2005, 265,000 in 2006, and 273,000 in 2007. See Office for National Statistics. 'Quality of Long-Term International Migration estimates from 2001 to 2011'. 10 April 2014 [online] <http://bit.ly/2d0Evey> Accessed 12 March 2016. More recently, net migration reached an unprecedented 327,000 in the year up to March 2016. See Office for National Statistics. 'Migration Statistics Quarterly Report: August 2016'. 25 August 2016. [online] <http://bit.ly/2byG9Fw> Accessed 1 September 2016.

<sup>3</sup> See Geddes, A. 'The EU, UKIP and the Politics of Immigration in Britain'. *Political Quarterly*. 2014. 85(3). 289-295.

<sup>4</sup> Interview with Ken Clarke, 20 January 2015.

<sup>5</sup> Home Office data, cited in Bowman, S. 'Small steps; immigration'. in eds. Shorthouse, R, Maltby, K and Brenton, J. *The Modernisers' Manifesto*. 2014 [online]. <http://brightblue.org.uk/bbmanifesto.pdf> 50. Accessed 12 March 2015.

<sup>6</sup> Home Office. 'Radical immigration changes to reform family visas and prevent abuse of human rights'. 11 June 2012. [online] [www.gov.uk/government/news/radical-immigration-changes-to-reform-family-visas-and-prevent-abuse-of-human-rights](http://www.gov.uk/government/news/radical-immigration-changes-to-reform-family-visas-and-prevent-abuse-of-human-rights) Accessed 4 June 2014.

<sup>7</sup> Interview with Timothy Kirkhope, 16 September 2015.

<sup>8</sup> Conservative Party, The. *The Conservative Party General Election Manifesto 1997*. 1997. [online] <http://bit.ly/248XAgC> Accessed 4 June 2014.

<sup>9</sup> Bale, T. *The Conservative Party From Thatcher to Cameron*. (Cambridge: Polity Press, 2010). 69.

<sup>10</sup> *Ibid.* 72.

<sup>11</sup> D'Ancona, M. *In It Together: The Inside Story of the Coalition Government*. (London: Penguin, 2014). 11.

<sup>12</sup> *Ibid.* 111.

<sup>13</sup> *Ibid.* 123.

<sup>14</sup> Michael Ancram, cited in Hayton, R. *Reconstructing conservatism? The Conservative Party in opposition, 1997-2010*. (Manchester: Manchester University Press, 2012). 91.

<sup>15</sup> *Ibid.* 91.

<sup>16</sup> Interview with Ann Widdecombe, 20 February 2015.

<sup>17</sup> *Ibid.*

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<sup>18</sup> Ibid.

<sup>19</sup> Ibid.

<sup>20</sup> Conservative Party, The. The Conservative Party General Election Manifesto 2001. 2001. [online] <http://bit.ly/1TLIHAE> Accessed 4 June 2014.

<sup>21</sup> Ibid.

<sup>22</sup> Ibid.

<sup>23</sup> Interview with Ann Widdecombe, 20 February 2015.

<sup>24</sup> Ken Clarke, cited in Hayton, 2012, op. cit. 97.

<sup>25</sup> Bale, 2010, op. cit. 135.

<sup>26</sup> Ibid. 158.

<sup>27</sup> Sparrow, A. 'Duncan Smith orders Monday Club to suspend Tory links'. The Telegraph [online] 19 Oct 2001 Accessed 12 October 2012.

<sup>28</sup> Ibid.

<sup>29</sup> Hayton, 2012, op. cit. 94.

<sup>30</sup> See Tempest, M. 'Howard calls for asylum cap'. The Guardian [online] 24 Jan 2005 Accessed 13 May 2012.

<sup>31</sup> Kavanagh, D and Butler, D. The British General Election of 2005. (London: Palgrave Macmillan, 2005). 59.

<sup>32</sup> Ibid. 42, and also Interview with Gavin Barwell, 14 September 2015.

<sup>33</sup> Kavanagh and Butler, 2005, op. cit. 182.

<sup>34</sup> Interviews with Ken Clarke, 20 January 2015 and Gavin Barwell, 14 September 2015.

<sup>35</sup> Tempest, M. 'Howard calls for asylum cap'. The Guardian [online] 24 Jan 2005 Accessed 13 May 2012.

<sup>36</sup> Interviews with Ken Clarke, 20 January 2015 and Gavin Barwell, 14 September 2015 and Damian Green, 17 December 2014.

<sup>37</sup> Interview with Ken Clarke, 20 January 2015.

<sup>38</sup> Interview with Damian Green, 17 December 2014.

<sup>39</sup> See Bale, T, Hampshire, J and Partos, R. 'Having One's Cake and Eating It Too: Cameron's Conservatives and Immigration'. Political Quarterly. 2011. 82(3). 398-406.

<sup>40</sup> Ibid.

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- <sup>41</sup> Bale, T and Hampshire, J. 'Immigration policy'. in eds. Heppell, T and Seawright, D. *Cameron and the Conservatives: the transition to coalition government*. (Basingstoke: Palgrave Macmillan, 2015). 91.
- <sup>42</sup> Bale et al. 2011, op. cit.
- <sup>43</sup> 'How the deportation story emerged'. BBC News [online] 9 October 2006 Accessed 12 March 2013.
- <sup>44</sup> Interview with a senior Conservative politician.
- <sup>45</sup> Interview with Ken Clarke, 20 January 2015.
- <sup>46</sup> Interview with David Metcalf, 8 October 2015.
- <sup>47</sup> Partos, R. No immigrants, no evidence? The making of Conservative Party immigration policy. *Political Insight*. 2014. 5(3). 12-15.
- <sup>48</sup> See 'March Issues Index'. Ipsos MORI [online] 12 March 2010 Accessed 10 October 2014.
- <sup>49</sup> Interview with Helen Kilpatrick, 17 September 2015.
- <sup>50</sup> Among the more unusual proposals made by Cabinet ministers in a bid to reduce the level of immigration was that of then Environment Secretary Owen Paterson. He suggested closing the Agricultural Workers Scheme, which allowed Eastern Europeans to enter the UK to do (most commonly) manual labour in rural areas. Told that it would be 'very unpopular with farmers – who would no longer find it easy to employ cheap labour for back-breaking outdoor work', Paterson is said to have called for British pensioners to work in the fields, at below minimum wage rates. See Laws, D. *Coalition: The Inside Story of the Conservative-Liberal Democrat Coalition Government*. (London: Biteback, 2016). 347-8.
- <sup>51</sup> Interview with Vince Cable, 15 September 2015.
- <sup>52</sup> Laws, 2016, op. cit. 350.
- <sup>53</sup> See Partos, R and Bale, T. 'Immigration and Housing'. in eds. Beech, M and Lee, S. *The Conservative-Liberal Coalition: Examining the Cameron-Clegg Government*. (Basingstoke: Palgrave Macmillan, 2015a). 102.
- <sup>54</sup> Bale and Hampshire, 2015, op. cit. 91.
- <sup>55</sup> HM Government. 'The Coalition: our programme for government'. HM Government [online] 2010 Accessed 12 March 2013.
- <sup>56</sup> The Liberal Democrats also fought to exclude the tens of thousands target from the coalition agreement. Interview with Vince Cable, 15 September 2015.
- <sup>57</sup> Partos and Bale, 2015a, op. cit. 103.
- <sup>58</sup> Interview with Ken Clarke, 20 January 2015.
- <sup>59</sup> Interview with Vince Cable, 15 September 2015.
- <sup>60</sup> Ibid.



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- <sup>61</sup> Interview with Norman Baker, 15 October 2015.
- <sup>62</sup> Travis, A. 'Net migration to UK hits record high of 330,000'. The Guardian [online] 27 Aug. 2015. Accessed 27 August 2015.
- <sup>63</sup> Partos and Bale, 2015a, op. cit.
- <sup>64</sup> Interview with Graham Brady, 13 January 2015.
- <sup>65</sup> Interviews with Graham Brady, 13 January 2015 and an anonymous senior figure from a migration think tank.
- <sup>66</sup> I note, however, that this finding is based on a period (1997 to 2015) – unlike in my other empirical chapters – in which the Conservative Party is mostly in opposition, with the exception of one period in government, and which is not, as is typical, a majority/ single-party government.
- <sup>67</sup> Major, J. 'Mr Major's Resignation Statement'. JohnMajor.co.uk [online] 2 May 1997 Accessed 12 March 2014.
- <sup>68</sup> Cited in Bale, 2010, op. cit. 73.
- <sup>69</sup> Interview with Ann Widdecombe, 20 February 2015.
- <sup>70</sup> Ibid.
- <sup>71</sup> Howard, M. 'Full text of Howard's speech'. BBC News [online] 19 February 2004 Accessed 12 May 2013.
- <sup>72</sup> Ibid.
- <sup>73</sup> Bale et al. 2011, op. cit. 403.
- <sup>74</sup> Ibid. 403.
- <sup>75</sup> Interview with Gavin Barwell, 14 September 2015.
- <sup>76</sup> Interview with Ken Clarke, 20 January 2015.
- <sup>77</sup> Interview with Damian Green, 17 December 2014.
- <sup>78</sup> See Bale et al, 2011, op. cit.
- <sup>79</sup> Interview with Damian Green, 17 December 2014.
- <sup>80</sup> Interview with Ann Widdecombe, 20 February 2015.
- <sup>81</sup> Interview with Graham Brady, 13 January 2015.
- <sup>82</sup> Interview with Ken Clarke, 20 January 2015.

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- <sup>83</sup> Interview with Helen Kilpatrick, 17 September 2015. Kilpatrick recalled how the Tories were, later, in government, briefed by their officials as to the likely difficulties: ‘Ministers were aware that it was very, very difficult to implement’. Even just a few years later, according to the 1922 Committee Chair, there was ‘scepticism’ within the parliamentary party as to whether the objective could be met. Interview with Graham Brady, 13 January 2015.
- <sup>84</sup> Interview with Gavin Barwell, 14 September 2015.
- <sup>85</sup> Interview with Vince Cable, 15 September 2015.
- <sup>86</sup> D’Ancona, 2014, *op. cit.* 393-4.
- <sup>87</sup> Interview with Norman Baker, 15 October 2015, and see also Cable, V. *After the Storm*. (London: Atlantic Books, 2015). 13
- <sup>88</sup> According to Liberal Democrat Business Secretary, Vince Cable, he ‘block[ed] the more extreme proposals on overseas students and non-EU skilled workers’. See Cable, 2015, *op. cit.* 12.
- <sup>89</sup> Interview with Damian Green, 17 December 2014.
- <sup>90</sup> *Ibid.*
- <sup>91</sup> Interview with Vince Cable, 15 September 2015.
- <sup>92</sup> Swinford, S. ‘Illegal immigrant poster is “stupid and offensive”, Vince Cable says’. *The Telegraph* [online] 28 July 2013 Accessed 28 July 2013.
- <sup>93</sup> *Ibid.*
- <sup>94</sup> Interview with Vince Cable, 15 September 2015.
- <sup>95</sup> *Ibid.*
- <sup>96</sup> *Ibid.* and Jowitt, J. ‘Cabinet splits on immigration as Vince Cable condemns net migration target’. *The Guardian* [online] 22 Mar. 2013. Accessed 22 March 2013.
- <sup>97</sup> Interview with Vince Cable, 15 September 2015.
- <sup>98</sup> Interview with Damian Green, 17 December 2014.
- <sup>99</sup> Seldon, A. ‘David Cameron as Prime Minister 2010-2015: The verdict of history’ in eds. Seldon, A and Finn, M. *The Coalition Effect, 2010-2015* (Cambridge: Cambridge University Press, 2015). 23.
- <sup>100</sup> Interview with Vince Cable, 15 September 2015.
- <sup>101</sup> Wintour, P. ‘Theresa May considers curbs on EU migrants’. *The Guardian* [online] 7 October 2012 Accessed 7 October 2012.
- <sup>102</sup> Andreou, A. ‘The immigration invasion that never was’. *The Guardian* [online] 2 January 2014. Accessed 17 November 2014.

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- <sup>103</sup> Mason, R. 'David Cameron: Romania and Bulgaria immigration levels "reasonable"'. The Guardian [online] 27 January 2014. Accessed 17 November 2014.
- <sup>104</sup> Ibid.
- <sup>105</sup> Watt, N. 'David Cameron making "historic" mistake over EU says José Manuel Barroso'. The Guardian [online] 20 October 2014. Accessed 17 November 2014.
- <sup>106</sup> Pancevski, B and Shipman, T. 'Merkel: I will block PM on immigrants'. The Sunday Times [online] 26 October 2014 Accessed 17 November 2014.
- <sup>107</sup> Interview with Damian Green, 17 December 2014.
- <sup>108</sup> Interview with Vince Cable, 15 September 2015.
- <sup>109</sup> Ibid.
- <sup>110</sup> See Partos, R and Bale, T. 'Immigration and asylum policy under Cameron's Conservatives.' British Politics. 2015b. 10(2). 169-184.
- <sup>111</sup> Hayton, 2012, op. cit. 40.
- <sup>112</sup> Bale, 2010, op. cit. 112.
- <sup>113</sup> Ibid. 112.
- <sup>114</sup> See Bale et al. 2011, op. cit.
- <sup>115</sup> Glover, S. 'Oh, please let the Tories be normal again'. The Daily Mail [online] 11 June 2001. 12 October 2013.
- <sup>116</sup> 'Unpopular populism'. The Guardian [online] 9 June 2001. Accessed 18 November 2014.
- <sup>117</sup> Bale, 2010, op. cit. 72.
- <sup>118</sup> Cited in Bale, 2010, op. cit. p.81.
- <sup>119</sup> Nadler, J. William Hague – In His Own Right. (London: Methuen, 2000). 211.
- <sup>120</sup> Ibid. 29.
- <sup>121</sup> Jones, G and Sylvester, R. 'Hague exit leaves Tories at crossroads'. The Telegraph [online] 9 June 2001. Accessed 18 November 2014.
- <sup>122</sup> Kavanagh and Butler, 2005, op. cit. 29.
- <sup>123</sup> Hayton, 2012, op. cit. 91.
- <sup>124</sup> Norris, S. 'We must build a tolerant party out of this rubble'. The Independent [online] 9 June 2001. Accessed 18 November 2014.

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<sup>125</sup> Interview with Gavin Barwell, 14 September 2015.

<sup>126</sup> Hayton, 2012, op. cit. 92.

<sup>127</sup> Interview with Gavin Barwell, 14 September 2015.

<sup>128</sup> See Tempest, M. 'Howard calls for asylum cap'. The Guardian [online] 24 Jan 2005 Accessed 13 May 2012.

<sup>129</sup> Hayton, 2012, op. cit. 92.

<sup>130</sup> Cowley, P and Green, J. 'New Leaders, Same Problems: The Conservatives'. in eds. Geddes, A and Tonge, K. Britain Decides: The UK General Election 2005. (Basingstoke: Palgrave Macmillan, 2005). 61.

<sup>131</sup> Ibid. 62.

<sup>132</sup> Hayton, 2012, op. cit. 71.

<sup>133</sup> Ibid. 71.

<sup>134</sup> Kavanagh and Butler, 2005, op. cit. 61, 186.

<sup>135</sup> Interview with Gavin Barwell, 14 September 2015.

<sup>136</sup> Hayton, 2012, op. cit. 93.

<sup>137</sup> Interview with Damian Green, 17 December 2014.

<sup>138</sup> Interview with Ken Clarke, 20 January 2015.

<sup>139</sup> Bale, 2010, op. cit. 138.

<sup>140</sup> Watt, N. 'Taint of extremism puts Duncan Smith on the spot'. The Guardian [online] 23 August 2001 Accessed 12 May 2013.

<sup>141</sup> Kavanagh and Butler, 2005, op. cit. 37.

<sup>142</sup> Michael Howard, cited in Hayton, 2012, op. cit. 54.

<sup>143</sup> Kavanagh and Butler, 2005, op. cit. 38.

<sup>144</sup> Eastham, P and Moulard, B. 'Not one Sangatte migrant should be let in'. The Daily Mail [online] 24 May 2002 Accessed 12 May 2013.

<sup>145</sup> Ibid.

<sup>146</sup> Baldwin, T. 'Duncan Smith opens Tory rift over asylum'. The Times [online] 25 May 2002. Accessed 5 May 2012.

<sup>147</sup> Ibid.

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- <sup>149</sup> Bale, 2010, op. cit. 159.
- <sup>150</sup> Ibid. 159.
- <sup>151</sup> Bale, 2010, op. cit. 156-157.
- <sup>152</sup> Cited in Jones, G and Sparrow, A. 'A stiletto in the Tories' Heart. Theresa May: We are the "nasty party"'. *The Daily Telegraph* [online] 8 October 2002 Accessed 3 February 2013.
- <sup>153</sup> Hayton, 2012, op. cit. 92.
- <sup>154</sup> Ibid. 92.
- <sup>155</sup> Interview with Gavin Barwell, 14 September 2015.
- <sup>156</sup> Hayton, 2012, op. cit. 95.
- <sup>157</sup> Ibid. 95.
- <sup>158</sup> Interview with Ken Clarke, 20 January 2015.
- <sup>159</sup> D'Ancona, M. 'Ditching their modernisation campaign was the Tories' worst strategic error since the poll tax'. *The Telegraph* [online] 30 December 2012 Accessed 3 November 2014.
- <sup>160</sup> Interview with Damian Green, 17 December 2014.
- <sup>161</sup> Ibid.
- <sup>162</sup> Ibid.
- <sup>163</sup> Interview with Gavin Barwell, 14 September 2015.
- <sup>164</sup> Cameron, D. 'Full test of David Cameron's victory speech'. *The Guardian* [online] 6 December 2005 Accessed 10 December 2010.
- <sup>165</sup> See Bale et al, 2011, op. cit. 400.
- <sup>166</sup> Interview with Damian Green, 17 December 2014.
- <sup>167</sup> See Duffy, B and Frere-Smith, T. 'Perceptions and Reality: Public Attitudes to Immigration'. Ipsos MORI [online] 2014 Accessed 1 February 2014.
- <sup>168</sup> See Bale, T and Partos, R. 'Why mainstream parties change policy on migration: A UK case study – The Conservative Party, immigration and asylum, 1960-2010'. *Comparative European Politics*. 2014. 12(6). 603-619. and Watt, N. 'David Cameron making "historic" mistake over EU says José Manuel Barroso'. *The Guardian* [online] 20 October 2014. Accessed 17 November 2014.

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- <sup>171</sup> Interview with Vince Cable, 15 September 2015.
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- <sup>173</sup> Osborne, P. 'Sir Andrew Green deserves his peerage, and his attackers owe him an apology'. *The Telegraph* [online] 21 October 2014 Accessed 21 October 2014.
- <sup>174</sup> Interview with Ken Clarke, 20 January 2015.
- <sup>175</sup> *Ibid.*
- <sup>176</sup> Interview with Gavin Barwell, 14 September 2015.
- <sup>177</sup> *Ibid.*
- <sup>178</sup> Interview with Vince Cable, 15 September 2015.
- <sup>179</sup> *Ibid.*, and see also Laws, 2016, *op. cit.* 354
- <sup>180</sup> See Laws, 2016, *op. cit.* 354.
- <sup>181</sup> Cowley, P and Stuart, M. 'The Four Year Itch'. *Revolts.co.uk* [online] 2014 Accessed 30 March 2014.
- <sup>182</sup> Cowley, P. 'The Coalition and Parliament' in eds. Seldon, A and Finn, M. *The Coalition Effect, 2010-2015* (Cambridge: Cambridge University Press, 2015). 146.
- <sup>183</sup> *Ibid.* 149.
- <sup>184</sup> Norton, P. 'The Coalition and the Conservatives' in eds. Seldon, A and Finn, M. *The Coalition Effect, 2010-2015* (Cambridge: Cambridge University Press, 2015). 473.
- <sup>185</sup> *Ibid.* 473.
- <sup>186</sup> Seldon, 2015, *op. cit.* 22.
- <sup>187</sup> Norton, 2015, *op. cit.* 149.
- <sup>188</sup> Interview with Vince Cable, 15 September 2015.
- <sup>189</sup> Interview with Ken Clarke, 20 January 2015.
- <sup>190</sup> See Partos and Bale, 2015b, *op. cit.*

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<sup>191</sup> Interview with Gavin Barwell, 14 September 2015.

<sup>192</sup> Ibid.

<sup>193</sup> Syal, R. 'Anger at "go home" message to illegal migrants'. The Guardian [online] 25 July 2013. Accessed 25 July 2013.

<sup>194</sup> Dominiczak, P. 'Nigel Farage attacks "Big Brother" Government immigration campaign. The Telegraph [online] 25 July 2013. Accessed 25 July 2013.

<sup>195</sup> Massie, A. 'Tories reveal innovative new election strategy'. The Spectator. [online] 20 October 2014. Access 20 October 2014.

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## Conclusions

This dissertation has examined the Conservative Party's immigration and asylum policy-making from 1945 to 2015 by providing an interpretivist account of the Party's positioning on this issue. During this time, the UK was transformed: from a country with an expansive citizenship regime (which was open, at one point, to 600 million people), to a much more restrictive regime with an infrastructure designed to detain and remove those who enter illegally, or outstay their welcome. For much of this period, the Conservatives sought to control immigration with a view to reducing the number of migrants entering and settling in Britain. In the later decades, the Party promoted a more selective approach, by sifting migrants into the well-paid highflyers (who were welcomed) and the low-paid unskilled (who were discouraged). At the time this thesis was completed, in the immediate aftermath of the EU referendum, it appeared likely that this approach would continue, given the popular frustration with successive governments' apparent failure to control immigration and with the Conservative leadership held by Theresa May, who was notable for having brought in restrictionist measures during her time as Home Secretary.

This final chapter summarises the findings of this thesis in order to provide a response to the main research question: namely, what has driven the Conservative Party's immigration policy? The interpretivist approach has been helpful as a means of conceiving policy-making as an unstable process of flux. The first section considers what can be understood by separating policy-making into periods when the Conservatives were in government and when they were in opposition. The second section assesses the 'drivers of change' (electoral considerations; the impact of leadership; the influence of factions) with regard to how well they can explain policy development. Next, the chapter moves on to the substantive findings of the study in terms of its contributions to knowledge. Finally, this chapter acknowledges the limitations of this thesis, the challenges that have been identified, and puts forwards suggestions for future investigation.



## 8.1 The dynamics of government versus opposition

The use of Gamble's theory of the 'politics of power' versus the 'politics of support' as a lens through which to view immigration policy-making has been essential to the development of this research. Political parties are, and always have been, critical to the development of state immigration policy. Since World War II, the Conservatives have enjoyed more time in office than any other political party; the Party has plainly had a substantial impact on British immigration policy. But many of the Tories' policies have stemmed from their time in opposition, and it is these periods which have been overlooked by scholars. Periods in opposition have often been used as opportunities for the Conservative Party to revise and reinvent.<sup>1</sup> In choosing to focus on the changes made to immigration policy when the Conservatives were in government *and* when they were in opposition, this thesis has demonstrated how the substance and framing of policy is often dependent on the status of the Party.

The status of the Party *does* impact on policy-making and implementation: in government, the Conservatives' immigration policy was significantly less restrictionist than in opposition. During the 70-year period in question, what was implemented by the Conservatives was less far-reaching and more liberal than what had been proposed. The different dynamics of being in – or out – of office did inform the development of immigration policy. The Tories simply could not deliver on the pledges that they had made in opposition, when they were unrestrained by electoral mandates, practical considerations or international concerns. In government, there were too many obstacles that delayed or blocked change.

Over 70 years, the obstacles to developing immigration policy in government rarely differed. First, legal matters repeatedly delayed the policy-making process, with measures cautiously re-worked (and weakened) so as to reduce the possibility of lengthy challenges. Politicians and policy-makers sought ways to bypass domestic and international legislation – which was often at odds with Conservative plans – rather than revoke or renegotiate them. Second, economic imperatives often overruled tough initiatives which would have reduced the pool of migrant labour or produced difficulties for visitors deemed important to Britain's national interest. Interventions from the business

community, whose interests were rarely aligned with Conservative objectives to reduce levels of migration, resulted in concessions that undermined policy. Third, international considerations – in which policy-makers did not want to destabilise existing economic, social or political relations – meant that policy was sometimes modified following (or even in expectation of) criticism from overseas governments. These hindrances on the policy-making process were rarely a consideration during periods in opposition.

Policy-making was influenced by the resources available to the Conservative Party, which were dependent on whether it was in government (namely, the civil service) or in opposition (the Conservative Research Department and later, select think tanks). Developing policy was difficult in the late 1940s when, after an unexpected electoral defeat, the Tories no longer had access to civil servants and had to rely on a Conservative Research Department which had been neglected during the war-time years. In the early 1960s, the Party began to lose faith in soft controls and there was a slow but steady push for restricting migration in the form of legislation, a shift that was encouraged by senior civil servants. With Tory ministers gently pushed to reconsider policies on the advice of their officials, the civil service helped create an environment in which the tightening of immigration controls was perceived to be the only option.<sup>2</sup>

While Gamble's theory would indicate that parties respond to their status (government or opposition) and take on a corresponding role (parties in office take on a 'politics of power' role and parties in opposition take on a 'politics of support role'), this is not always the case with the Conservative Party between 1945 to 2015. Often, it takes a period of time for the Party to react to its new status, particularly after it has spent a long stint in either office or opposition. In 1997, after the Conservative Party lost office following nearly two decades in government, it was in no way an effective or functional opposition during the next parliament. After a second consecutive electoral defeat in 2001, senior Conservative figures resolved to change their strategy: they could no longer behave like an embittered government which had found itself out of office. The Tory leadership made a deliberate effort to take on the 'politics of support' role associated with opposition. The Party not only spent more time criticising the government, it also developed striking and populist policies (such as a fixed quota for asylum seekers) that were headline-winning, if difficult or impossible to implement.

On occasion, the Conservative leadership *chooses* to take on the role that does not correspond to the Party's status. In 2005, the Conservative Party suffered a third consecutive electoral defeat and, later that year, the new leadership moved the Party onto a 'politics of power' footing usually associated with being in government. Efforts were made to represent the Conservative Party as restrained and responsible. Pledges were made to deal with difficult issues in a quiet and sensible manner: immigration policy would be informed by evidence. By contrast, during the second half of this parliament, when David Cameron and his advisors feared that Prime Minister Gordon Brown would call an early general election, the Tories returned to the 'politics of support' role. The Party was remodelled as an effective and energetic opposition: it would be critical of government and it would promote populist and restrictive new measures, such as a quota for economic immigrants and the introduction of a border police force with the power to arrest and detain suspects.

Gamble's theory is of less relevance when immigration is of low salience, as indicated by public opinion (from correspondence with MPs as well as opinion polls) and media reports. The degree to which immigration is an issue of concern does impact on the making of policy. In other words, the content and tone of policy and policy-making *are* dependent on the status of the party – but only when the policy issue is a priority for voters, and by consequence, a priority for the party. In situations in which immigration is of low salience, policy-making is less impacted by the differing dynamics of the 'politics of power' versus the 'politics of support'. In the late 1940s, migration levels were not perceived to be problematic, and there were other priorities which prevented the Conservative opposition from developing policy on immigration. Likewise, while the level of immigration did increase during the period following the passing of the 1948 British Nationality Act, it was of no immediate concern to the Conservative government of 1951. Similarly, when the Conservative opposition of 1964 took the opportunity to thoroughly review its policies, immigration received next to no attention. Given that the issue was not particularly salient, there was no incentive for the Conservatives to work on extensive proposals on the topic.

The Party's interest in maintaining decent international relations (which translates into an unwillingness to bring in further controls) is stronger when the Party is in office than when it is in opposition. When the Tories are more mindful of the reactions of other

countries, they are less likely to bring in substantial changes to immigration policy. Instead, policy is more moderate and any changes are generally modest. For the Conservative government of the mid-1950s, maintaining international relations was of great importance. Domestic concerns about rising levels of immigration, and the impact on British society, were superseded by the imperatives of foreign policy. Likewise, Heath's government of 1970 was not able to convert its hard-hitting proposals into legislation due to fears about damaging relations with the Commonwealth. Although this factor had been of little concern when the Party was in opposition, in office it acted as a deterrent to attempts to redefine citizenship.

Conversely, public opinion, which tends to support tough initiatives to control immigration, does impact on the policy-making process, but more so when the Party is in opposition than when it is in government. If the party in opposition is inclined to practise a 'politics of support' role, it will likely take a greater interest in the concerns of those whose support it wishes to have. The diminished role of public opinion when the Party is in office is also a consequence of the complexities of government – the 'politics of power' – which involve countless, often competing, pressures. According to Ann Widdecombe, who served as both a minister and a shadow secretary of state, public opinion is one factor among many to consider when making policy; in government, it is one factor among *dozens* to consider.<sup>3</sup>

Curiously, there is one trend that seems to be unreceptive to the transition from government to opposition and vice versa. Over the 70 years under consideration, there was a transformation in the Conservatives' use of immigration as an electoral tool. Initially, the Tories did not want to be seen to be involved with immigration: it was not seemly and to do so might provoke public tensions. During the 1960s, the Conservatives were less reluctant to make use of their natural lead on immigration. At this point, being seen to be doing *something* about immigration was deemed only right and proper: it would reassure the worried, and it would deter the concerned from opting for the far-right. When public concern about immigration increased in the mid-1970s, the Conservative Party proposed much tougher controls. The exploitation of the immigration issue has been taken to extremes, but this approach has been detrimental to the Conservatives' electoral fortunes. The 2005 Tory election campaign was seen as crude and xenophobic – and even worse in their terms – off-putting to many voters.

## 8.2 The drivers of policy change

In seeking to explain developments in the Conservative Party's immigration policy, the use of a modified version of Harmel and Janda's three 'drivers of change' has been invaluable. Each of the factors has proved to be more or less useful in explaining policy changes during the different parliaments within the period from 1945 to 2015. This thesis has examined the relationship between policy development and the three drivers by considering the impact of

- a. The Party's electoral motivations;
- b. The different leaders of the Party; and
- c. The Party's management, or, the different factions leading – or aspiring to lead – the Party

Any attempt to isolate the factors so as to establish their relative importance to the policy-making process is problematic, given the strong links between the different drivers. Tory leaders, for example, are often (though not always), of, or owe their position to, the dominant faction(s) within the Conservative Party at that time. Further, correlation cannot be taken to be causation: as has been noted elsewhere, the relationship between policy changes and the drivers of change is a 'striking but often superficial relationship'.<sup>4</sup> For example, the Party's decision to depose one leader, and the subsequent change in immigration policy may be unrelated; the relevant policy work may well have preceded the new leader. Nonetheless, with caution, and with a degree of scepticism, this thesis has sought to extricate and evaluate the importance of the different drivers of change.

Although, as previously noted, the impact of these drivers on the development of immigration policy varies over time, it has been possible to come to a tentative conclusion about their relative importance. On the whole, the leadership of the Party seems to be the single most significant influence on immigration policy-making. Factions are critical too in setting the direction or tone of policy, even if it is difficult at times to determine a dominant faction. Electoral motivations play less of a role than one might expect: it is rare to see a shift in policy after a defeat at the ballot box, but there is a (sometimes subtle) influence.

This thesis does not, however, contend that any one of these three drivers will dominate the others. Other factors are important too. It is not that the drivers proposed by the theoretical synthesis are unable to explain anything but that they are not enough to explain *everything*. For example, unforeseen developments in the global environment and historical international obligations also drive – and constrain – immigration policy. However, policy is ultimately determined by how the Party chooses to react to these developments – based on its leadership, its dominant faction(s) and its electoral motivations.

## Leadership

The role of the leadership in directing Conservative Party immigration policy varies from the critical to the very critical. Leaders with a restrictionist line on policy tend to preside over a period in which their Party promotes just such a line. There are differences, of course, in how the leaders of the Party have perceived the ‘problem’ of immigration and how they have framed their solution. Some leaders have been greatly constrained by external pressures, from an impending general election (see Michael Howard in 2003) to a powerful opposing faction within the Party (see Churchill in the mid-1950s). It should be noted that policy change need not be driven by a change in the leadership. Instead, developments in policy may be down to a leader changing his or her mind, in response to the need to ‘listen’ to the electorate, or to manage the Party factions. Change may also be generated by sudden unexpected events, such as a worsening conflict abroad creating refugees.

The leader of the Party, and their position on immigrants and immigration, does impact on policy, but only if their views (broadly) align with those of their colleagues. During the immediate post-war period, the then leader, Churchill, did not pay much attention to domestic affairs, and developed an interest in controlling immigration only towards the end of his leadership in 1954 – and by that time, he could not get his ministers to take it seriously. His successor, Eden had no desire to do anything about immigration: he was keen to retain his reputation for being a ‘moderate’ and wherever possible, wished to

avoid controversy. Macmillan, who became leader in 1957, had a substantial impact on the making of immigration policy. His call for a more modern way of dealing with the UK's former colonies put paid to the idea that the citizens of these countries should receive special treatment (including unrestricted right of entry to, and settlement in, Britain).

From 1964 onwards, leaders Douglas-Home and Heath had little interest in immigration. The latter had to be almost forced by his colleagues to set down a definitive line on immigration – and was reported to have resented it. Neither of the two men could be seen to be driving the Tories' immigration policy – with the exception, perhaps, of Heath's decision to admit the Ugandan Asians in 1971. Thatcher, who took control of the Party in 1975, understood that immigration was, or could be, a significant concern for many voters, and made efforts to ensure greater restrictions on immigration. She had a profound influence on the framing, and sometimes the content, of immigration policy. Her successor, Major deemed it unseemly to make immigration a priority issue, and under his leadership, the Party presented a much more muted and moderate approach, even though policy was not significantly different.

Post-1997, the Party's next two leaders took a very similar stance on immigration. Hague's near indifference to immigration policy meant that there was no coherent approach. He, and Duncan Smith, under extensive pressure from the Party's right-wing, abandoned their attempts to renew the Conservative Party as a more moderate organisation. Howard seized on a tough immigration policy as a means of obtaining column inches – and the media obliged. His successor, Cameron, was better able to resist the demands of the right-wingers, and when he deemed it timely and necessary, re-introduced a hard-line immigration policy. Throughout this 70-year period, the leader's position was dependent on maintaining the support of the different factions.

## Factions

While it has been difficult to consistently show the existence of, and interaction between, factions within the Conservative Party, the perceived management of the Party has been helpful as a means of explaining policy changes (or the lack of such changes). All leaders must acknowledge that their position relies on the continued support of the factions that more or less run the Party; making moves that might upset particular wings could well endanger their position. Further, elections are often fought and won on the basis of which faction appears to be in charge of the Party. Divided parties are weak and unpopular with the electorate. There were occasions during the period in question when immigration policy was put to one side so as not to split the Conservative Party. To most, if not all of the leaders in the period under study, it was preferable to keep the Party together than to risk further divisions by developing an undoubtedly controversial immigration policy. As a result, policy was often a careful compromise to contain those parliamentarians who were not above voting against the Party line.

During the immediate post-war period, the influence of factions can well explain the lack of policy on immigration. Continuing struggles for power between different factions ensured that, for much of this time, migration controls were not under serious discussion and the 'open door' remained. When Eden's government began considering restricting immigration, opposition from within the Party and the threat of resignation from the Colonial Secretary ensured that no action would be taken. From 1964 onwards, the impact of factions on immigration policy-making – and the potential for them to do serious damage to the unity of the Conservative Party – was a frequent consideration. Enoch Powell's rise to prominence and strong anti-immigration rhetoric compelled Tory parliamentarians to declare their stance on the issue. It is unsurprising then that there soon emerged distinct dividing lines between those calling for immediate further immigration controls, their more moderate counterparts who were broadly in favour of controls, and those who rejected such calls. The existence of these factions made it difficult for the leadership to develop a policy that most of the parliamentary party would support.

In the 1980s and 1990s, the different wings of the Party, and the interactions between them, were a more substantial influence on immigration policy; it was an era in which a



more ideological, right-wing faction gained prominence over the more traditional one-nation wing of the Tory Party. While factions could, and did, block the leader (Willie Whitelaw did not allow immigration to be an issue in the 1983 campaign), they tended to be less influential than the leadership – other than on a few exceptional occasions. In the 1990s, the right-wing of the Party demanded tougher measures, but the libertarian wing would not allow it, deeming identity cards to be contrary to British values. Quarrels between factions prevented at least one minister from making changes to immigration policy.

From 1997 onwards, there is less evidence to suggest that changes to the factions of the Party have had an impact on immigration policy. However, this is not to say that factions did not play a part in the development of policy. In the 2000s, the right-wing of the Party pushed Iain Duncan Smith to take the Tories in a more restrictionist direction – and he was somewhat obliged to do so. However, it was not possible for Duncan Smith to bring in policies that were both practical and consistent while keeping the different factions of the Party content. His successor, Howard, took a different line; in making extensive use of topics that were familiar to the Tories, of which immigration happened to be one, he hoped to bring his fractured party together and make it more manageable.

When in 2010 the Conservatives failed to win enough seats for a majority government, relations between the different wings of the party were further damaged. Cameron's ability to withstand the pressures from one wing of his Party was, in part, the result of his support from other factions. According to Matthew D'Ancona, since Major's leadership, the Conservative Party has had a 'core of irreconcilables, convinced that they were being sold out or stitched up'.<sup>5</sup> The leadership must manage – and not simply mollify – this faction, if it is to be successful and win (or stay in) office.<sup>6</sup>

## Electoral considerations

Electoral motivation is the least useful driver in explaining developments in immigration policy. This is the case even though this thesis has expanded on Harmel and Janda's theory by revising the 'fear of electoral defeat' factor so that it includes the much broader driver of electoral motivations. As this author and others have elucidated before, any theory of party policy change also needs to take more seriously the fact that, in a competitive democracy, politicians are ideologically and instrumentally motivated to continuously monitor and then to reflect public (and party) feeling, and that this may be every bit as important as the periodic signals that they are sent at elections.<sup>7</sup> Electoral calculations cannot be discussed outside the context of party competition: as Messina finds in his 1989 text on race and party competition, Conservative Party strategy responds to their main competitor, Labour – and vice versa.<sup>8</sup> Electoral motivations *do* matter: what changes over time is the strategy: whether to stick with the core vote, to reach out to the centre ground, or to pick up those on peripheries and whether to listen and follow public opinion – or to direct it.

In the immediate post-war period, and despite the Conservative Party suffering an unexpected defeat, followed by a second term in opposition, immigration policy-making was not impacted by the motivation to win votes. The topic was considered close to a non-issue for much of this period and Tory politicians did not believe that they could gain electoral support on the back of it. If the Conservatives had been less concerned about the unseemliness of mobilising in such a way, they would have made more of immigration policy both before and following the introduction of legislation. What became the 1962 Commonwealth Immigrants Act had not even been mentioned in the manifesto of 1959.

In time, however, electoral considerations became a more significant factor. When senior Conservatives figures became concerned by what they perceived to be a divide between the Party and the electorate on attitudes to immigration, changes to policy were often made shortly afterwards, so that the Party more closely reflected the (supposed) position of the public. By the late-1960s, immigration had become a contentious and bipartisan issue and so, responding to the continuing popularity of Enoch Powell and his stance on the issue, the Conservatives were, in effect, compelled to harden their line and move

closer to what they perceived to be the position of the electorate. The leadership deemed it necessary to respond to the public mood and offer more restrictionist policies. The Tories became less reluctant to make use of their electoral lead on immigration control, particularly within a context in which they had lost two general elections (February and October 1974) in a row.

From the late 1970s onwards, when the Tories were less reticent about making use of the immigration issue, it soon came to be regarded as a dependable way to bolster electoral support. When the opinion polls showed particularly low levels of support for the Tories, or at least, Conservative ministers believed that a fall in support was imminent, the immigration issue was brought back in, with the Party vocally expressing its support for a much tougher immigration policy. However, from 1979 onwards, and even though the Conservatives experienced fluctuating levels of support during their four terms in office, there is little evidence that electoral calculations were a significant or consistent motivating factor behind changes to immigration policy, other than driving a general need to *show* an operational and tough approach to the issue.

It was clear to many Conservative figures that the Party's position on immigration, if it was distinctive enough, could prevent the drift of votes from the Conservatives and even bring on board voters who were not traditionally inclined to support the Tories. Thatcher argued that the Tories' reticence on immigration control was a motivating factor for voters opting for extreme-right parties. It was thus vital for the Conservative government to show that it shared the same concerns as the electorate, which was seen to be routinely hostile to 'coloured' immigration. When, in 1985, the deteriorating situation in Sri Lanka and the potential rush of non-white immigrants to the UK threatened poll ratings for the Conservatives, the Tories quickly drafted hard-line legislation and actioned the reversal of policy introduced less than a year before.

During the early 2000s, while some of the proposed measures may have been popular with the public, immigration was not a priority issue for many voters. The Tory focus was on the core vote. Howard had no time in the run-up to the 2005 election to experiment with a new strategy. The Party had endured two major electoral defeats in four years (1997, 2001) and did not want to lose a third, so it swung rightwards to make itself stand out, emphasising restrictionist promises. It was not to be. After 2005, with three

consecutive election defeats under their belt, the Conservatives were desperate to bring in voters not traditionally inclined to support the Tories of recent years. Cameron's silence on immigration (an attempt to detoxify the Party's image) ended when Tory strategists believed Prime Minister Brown was about to call an election in late 2007. Once in coalition government in 2010, and with the Tory brand deemed less toxic, hard-line immigration policies deemed popular with voters were introduced. The threat of Conservative voters switching support to UKIP also served to drive the Tories to adopt restrictionist positions. However, the Party's attempts to harden their line on immigration have rarely satisfied voters; tough policies may even have legitimised their fears and made them more concerned.<sup>9</sup>

### **8.3 Further contributions**

In providing a new insight into immigration policy-making, the findings of this dissertation have offered four contributions to existing work in the political science and migration policy fields. First, this thesis has emphasised the critical significance of political parties to the development of state immigration policy. Parties are much more than a vehicle for politicians or a conveyor belt for ideas. Parties are responsive and complex coalitions of competing interests and tensions. In examining the internal workings of the UK Conservative Party (its leadership, its factions, and its motivations), this thesis has sought to reveal how immigration policy is made.

Second, and by delineating policy-making into that which is done in government, and that which is done in opposition, this research project has offered an explanation as to why there often exists a gap between a party's promised immigration policy, and its implementation of said policy. As had been suggested, there are different dynamics acting on the party when it is in, and when it is out, of office. Obstacles to the implementation of policy are more common during periods in government than periods in opposition. Different motivations are activated when there is (or there is likely to be) a change in the party's status. This work has also considered the extent to which politicians and policy-makers are aware of this transition and how it shapes the policy-making process.

Third, this thesis has sought to examine the impact of electoral positioning on the making of immigration policy: in other words, the extent to which parties' policies are developed in relation to their position relative to other political parties. This work has found that the Conservative Party is sensitive to the development of policy by its competitor parties, modifying its own policy offering in response, usually in an attempt to put forward a distinctive position. At times, a tough immigration policy is perceived to be an obvious vote-winner, at other times, such a strategy is considered damaging.

Lastly, this thesis has built on existing work in the theoretical literature by synthesising existing theories into a new hybrid approach to explain policy-making. Given that few scholars who have looked at immigration policy have used both a political science and a migration studies approach, and given that, within the former discipline, it is rare for work to draw on literature within the 'political parties' and the 'policy' field, this thesis is a timely contribution.

## **8.4 Research challenges**

Inevitably, this dissertation has been subject to limitations and difficulties that have been encountered in the process of the research. In considering the development of the Conservative Party's immigration policy, this work has tended to focus on policy-making from the perspective of the policy-makers. This thesis has made use of interviews with current and former politicians, many of whom have had roles within government, as well as senior civil servants, and has used material which has, in most cases, been produced by the same individuals. There has been little consideration given to a 'bottom up' approach to policy-making, in which Conservative Party activists, members and supporters have played a role. However, other scholars have found the influence of the grassroots of the Conservative Party on policy-making to have been minimal.<sup>10</sup>

This thesis has made use of a hybrid theoretical framework as a means of explaining changes to immigration policy, but the propositions are imperfect and do not cover all possible developments. At times during the research process, there has been a temptation to stretch the point, to make explanations 'fit' with the propositions. Efforts have been

made to work against this, and there has been a deliberate attempt to consider factors outside of party political considerations (such as the influence of civil servants or experts). It should be acknowledged that electoral motivations, leadership and factions are not the only factors that matter to political parties; and the government versus opposition dynamic is not always applicable to explanations of policy change. There may be other means of accounting for developments, such as a change in circumstances (such as an economic downturn) or a sudden, unexpected series of events (such as the conflict in Syria).

Lastly, it is regrettable that this thesis has not been able to rely on the same ‘types’ of source material throughout the period in question. It has not been possible to interview key figures who were critical to the Conservative Party immigration policy during the late 1940s, for example: they are no longer alive. Nor has it been possible to look through archive material from the mid-1990s, for example, since Cabinet papers, are not available due to time restrictions on their release. As a result, this thesis is explicit about the fact that it tends to rely on different material at different times, and, in some cases, to rely more than would be desirable on secondary material.

## **8.5 Suggestions for future research**

This thesis, which has built on propositions from within the political science and migration studies fields in order to provide an interpretivist account of the making of Conservative Party positioning on immigration, opens up possibilities for further research. First and foremost, it would be worth considering whether the framework could be used to explain changes in policy in a) different but no less controversial policy areas b) different mainstream political parties and c) countries outside of the UK. Further research could expand the focus on the political party by examining how parties developing immigration policy respond to competing pressures for more restrictionist or more liberal policy, for example, by tracking the vagaries of public opinion on migration or the interventions of interest groups. It is of little significance how many ‘immigrants’ there are; it merely matters to what extent the public deem immigrants to be having a

negative impact on their lives. The national mood, or the heuristics (that is, the ‘short-cuts or cues voters use to overcome cognitive burdens of information’) often has more impact on policy-makers than the empirics of the situation – that is, whether immigration figures are increasing or decreasing (and at what rate) or the value of migrants’ net impact on the economy.<sup>11</sup> Further research along these lines would bring new insights to the complex and at times, incoherent, world of politics and policy-making.

## Notes

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- <sup>1</sup> Hayton, R. *Reconstructing conservatism? The Conservative Party in opposition, 1997-2010*. (Manchester: Manchester University Press, 2012). 91.
- <sup>2</sup> Hansen, R. *Citizenship and immigration in postwar Britain*. (Oxford: Oxford University Press, 2000). 92. and Bale, T. *The Conservatives since 1945: The Drivers of Party Change*. (Oxford: Oxford University Press, 2012). 98.
- <sup>3</sup> Interview with Ann Widdecombe, 20 February 2015.
- <sup>4</sup> Bale, T and Partos, R. 'Why mainstream parties change policy on migration: A UK case study – The Conservative Party, immigration and asylum, 1960-2010'. *Comparative European Politics*. 2014. 12(6). 603-619. 606.
- <sup>5</sup> D'Ancona, M. *In It Together: The Inside Story of the Coalition Government*. (London: Penguin, 2014). 240.
- <sup>6</sup> Ibid.
- <sup>7</sup> Bale and Partos, 2014, op. cit. 604.
- <sup>8</sup> Messina, A. *Race and Party Competition in Britain*. (Oxford: Oxford University Press, 1989).
- <sup>9</sup> See Jennings, W. 'The Public Thermostat, Political Responsiveness and Error-Correction: Border Control and Asylum in Britain, 1994-2007'. *British Journal of Political Science*. 2009. 39(4). 847-870.
- <sup>10</sup> See McKenzie, R. *British Political Parties* (London: Mercury Books, 1963), 221–31 and see also Bale, 2012, op. cit. 91, 313.
- <sup>11</sup> Green, J and Jennings, W. 'Valence as macro-competence: An analysis of mood in party competence evaluations in Great Britain.' *British Journal of Political Science*. 2012. 42(2). 311-343. 316.



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Note:

Documents from the Conservative Party Archive are noted here under 'CPA'.

Documents from the Margaret Thatcher Foundation are noted here under 'Thatcher MSS'.

Documents from the National Archives of the UK are noted here under 'TNA'.

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# Appendix

## List of interviewees

During the course of this research, I was fortunate to be able to interview many key figures who played a part in the making and implementation of the Conservative Party's immigration policy. I am so grateful for their time and their support.

Many of those I have spoken with have held a number of different roles; I have noted here only those titles which were of direct relevance to this thesis.

With my thanks also to those who preferred to speak off the record.

Baker, Kenneth, The Rt Hon., the Lord

Home Secretary, 1990-1992

Chairman of the Conservative Party, 1989-1990

Member of Parliament, 1968-1997

Baker, Norman

Minister, Home Office, 2013-14

Member of Parliament, 1997-2015

Barwell, Gavin

Government Whip, 2013-14

Co-founder of Migration Matters Trust

Member of Parliament, 2010- present

Desk Officer, Conservative Research Department, 1993-1995

Brady, Graham

Chairman of the 1922 Committee, 2010- present

Shadow Minister for Europe, 2004-2007

Member of Parliament, 1997- present

Cable, Vince, The Rt Hon. Sir

Secretary of State for Business, Innovation and Skills, 2010-2015

Member of Parliament, 1997-2015

Clarke, Kenneth, The Rt Hon.

Minister without Portfolio, 2012-2014

Lord Chancellor, Secretary of State for Justice, 2010-2012

Home Secretary, 1992-1993

Member of Parliament, 1970- present

Cubbon, Brian, Sir

Permanent Secretary to the Home Office, 1979-1988  
Senior civil servant, Cabinet Office, 1971-76

Gieve, John, Sir

Permanent Secretary to the Home Office, 2001-2005

Glenarthur, Simon, the Lord

Minister, Foreign Office, 1987-1989  
Minister, Home Office, 1985-1986

Green, Damian, The Rt Hon.

Minister, Home Office (Immigration), 2010-12  
Shadow Minister for Immigration, 2005-2010  
Member of Parliament, 1997- present

Hamilton, Archie, The Rt Hon., the Lord

Chairman of the 1922 Committee, 1997-2001  
Parliamentary Private Secretary to Margaret Thatcher, 1987-88  
Government Whip, 1982-84  
Member of Parliament, 1978-2001

Hurd, Douglas, The Rt Hon. the Lord

Foreign Secretary, 1989-1995  
Home Secretary, 1985-1989  
Minister for Europe, 1979-1983

Kirkhope, Timothy

Member of the European Parliament, 1999- present  
Leader of the Conservative Party in the European Parliament, 2004-2010  
Parliamentary Under-Secretary of State, Home Office (Imm.), 1995-1997  
Member of Parliament, 1987-1997

Kilpatrick, Helen

Governor of the Cayman Islands, 2013- present  
Acting Permanent Secretary to the Home Office, 2012-2013

Lloyd, Peter, The Rt Hon., Sir

Minister, Home Office, 1992-1994  
Parliamentary Under-Secretary of State, Home Office (Imm.), 1989-1992  
Member of Parliament, 1979-2001



McDonnell, John

QC, 1984- present

Desk Officer (Home Affairs), Conservative Research Department, 1966-69

Metcalf, David, Emeritus Professor, Sir

Chair of the Migration Advisory Committee (MAC), 2007- present

Parkinson, Cecil, The Rt Hon., the Lord

Chairman of the Conservative Party, 1981-1983 and 1997-1998

Member of Parliament, 1970-1992

Salt, John, Professor

Consultant to Home Office, 1999- present

Director, Migration Research Unit, UCL, 1989- present

Sewill, Brendon

Special Assistant to the Chancellor of the Exchequer, 1970-1974

Director of the Conservative Research Department, 1965-1970

Silverman, Bernard, the Reverend Professor

Chief Scientific Advisor to the Home Office, 2010-2017

Simmons, Jon

Head of Migration & Border Analysis (MBA), Home Office, 2010- present

Tebbit, Norman, The Rt Hon., the Lord

Chairman of the Conservative Party, 1985-1987

Member of Parliament, 1970-1992

Waddington, David, The Rt Hon., the Lord

Home Secretary, 1989-1990

Parliamentary Under-Secretary of State, Home Office (Imm.), 1983-1987

Member of Parliament, 1968-1990

Wardle, Charles

Parliamentary Under-Secretary of State, Home Office (Imm.), 1992-1994

Member of Parliament, 1983-2001

Widdecombe, Ann, The Rt Hon.

Shadow Home Secretary, 1999-2001

Minister, Home Office (Prisons), 1995-1997

Member of Parliament, 1987-2010